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LEAGUE OF NATIONS.

REPORT

ON THE

INTERNATIONAL CONFERENCES ON  
 OPIUM AND DANGEROUS DRUGS

HELD AT GENEVA

November 1924 to February 1925.

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*Presented by the Secretary of State for Foreign Affairs to Parliament  
 by Command of His Majesty.*

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Report on the International Conferences on Opium and 1925 Dangerous Drugs, held at Geneva, November 1924 to February 1925.	
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#### INTRODUCTION.

1. The two international conferences were held in pursuance of resolutions adopted by the Assembly of the League of Nations at its meeting in September 1923, these resolutions being based on recommendations made by the Opium Advisory Committee of the League at its meeting in the spring of the same year. As certain questions which arose at the conferences turned on the text of the resolutions and recommendations, they are printed in an appendix to this report.

2. The recommendations made by the Advisory Committee arose directly out of the work which it had been doing since its creation in pursuance of a resolution adopted by the First Assembly of the League in 1920, in supervising the execution of the International Opium Convention known as The Hague Convention, and examining generally the situation in regard to the traffic in opium and dangerous drugs. This convention, though it was signed in 1912, only came into operation—as the result of a provision inserted in the Treaties of Peace (*cf.* article 295 of the Treaty of Versailles)—in 1920, and, as is well known, article 23 of the Covenant of the League entrusted the League with the “general supervision over the traffic in opium and other dangerous drugs.”

3. As the conferences were concerned mainly with proposals for supplementing or strengthening the provisions of The Hague Convention, it will be convenient, for the purposes of this report, to recall briefly its main provisions. The convention deals with the general subject of the control of opium and drugs in three separate chapters, the first of which relates to raw opium, the second to prepared opium, and the third to the manufactured drugs, *i.e.*, medicinal opium, morphine, heroin and cocaine. (A fourth chapter contains some special provisions relating to China and Powers having treaties with China.)

The general purpose of the convention is declared in the preamble to be to “advance a step further on the road opened by the International Commission of Shanghai of 1909,” and “to bring about the gradual suppression of the abuse of opium, morphine and cocaine, as also of the drugs prepared or derived from these substances, which give rise, or might give rise, to similar abuses.”

The provisions of the three chapters differ widely in the nature of the control to be established, but all impose fairly definite obligations in regard to export and import.

The first chapter required the Powers in general terms to



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“enact effective laws or regulations for the control of the production and distribution of *raw* opium,” and so far as internal trade in or use of raw opium are concerned leaves the matter there. Presumably the control should be such as to promote the object of the convention as indicated in the preamble, but no precise stipulations are laid down, such as are inserted in the two other chapters. It was on this provision that one of the chief controversies at the second conference arose. In regard to the export and import of raw opium, the convention was much more definite. The Powers were to prevent the export to countries which prohibit its import and to control the export to countries which restrict the import, and to allow opium to be exported or imported by “duly authorised persons only.” No machinery, however, was provided for enabling the Powers to exercise the required control so as to limit exports to “duly authorised persons” in the importing country.

The second chapter required the Powers to “take measures for the gradual and effective suppression of the manufacture of, internal trade in and use of *prepared* opium, with due regard to the varying circumstances of each country concerned”—a provision which is quite definite in placing a ban on the smoking of opium and quite indefinite as to the period within which or the manner in which the desired end was to be brought about. The question which was then left unsolved gave rise to another controversy at the conferences. In this chapter again much more definite requirements were laid down as to exports and imports. Import of prepared opium was to be totally prohibited at once, and export was also to be totally prohibited, either at once, or, if any Power was not yet ready for that step, as soon as possible. It is not clear for what purpose this concession was allowed in the case of exports only—its only result has been to allow the export of prepared opium to countries which are not parties to the convention.

The third chapter, which deals with the manufactured drugs, was much more definite in its requirements. The Powers were to enact laws to confine the manufacture, sale and use of the drugs to “medical and legitimate purposes,” and were to co-operate with one another to prevent the use of the drugs for any other purpose. The nature of the measures to be taken for the control of persons engaged in the trade was also indicated in some detail—the most important being the requirement of licences or permits for persons engaged in the trade in the drugs. Unfortunately this particular requirement was weakened by allowing as an alternative to the licence an official declaration on the part of the trader that he was engaged in the business, and the measures as a whole were not made a binding obligation—the Powers were only required to “use their best endeavours to adopt them.” Imports and exports were also to be controlled. Importers were to be licensed (or rather, the Powers were to “use their best endeavours” to restrict imports to authorised persons, “due regard being had to the differences in their conditions”), and the Powers were to “use their best endeavours” to ensure that the drugs were only exported to persons so licensed. No machinery for carrying out this control of exports



was indicated, beyond the suggestion that the Governments might communicate to each other from time to time lists of the persons licensed by them to import the drugs—a suggestion which was considered by the Opium Advisory Committee to be impracticable.

4. As a result of its examination of the situation and consideration of the reports furnished to it, the Opium Advisory Committee had been led to a number of conclusions as to the necessity for supplementing the provisions of The Hague Convention in various points, particularly by the creation of adequate machinery to enable an effective control to be exercised over imports and exports, and also for securing closer co-operation between the Powers in order to suppress the operations of the gangs or syndicates who carried on an illicit international traffic in opium and the drugs on an enormous scale. For these purposes they had recommended the adoption of the “import certificate” system and arrangements for the direct interchange of information between the authorities in different countries. These recommendations were approved by the Council and Assembly of the League, and had been circulated by the League to its members, many of whom, but by no means all, had in course of time agreed to adopt them.

The committee, however, had early recognised that improvements in machinery would not be sufficient by themselves, and that the suppression of the illicit traffic in and abuse of opium and the drugs was impossible as long as they continued to be produced or manufactured in quantities largely in excess of the world's legitimate requirements. They had accordingly set on foot, through the Health Organisation of the League, an investigation into the world's legitimate requirements of the manufactured drugs, whose abuse was the most widely extended and most serious problem, with a view to the consideration of the question of limiting the amounts of those drugs manufactured. This enquiry had by 1923 been carried sufficiently far to enable the committee to conclude that the time was ripe for the consideration by a conference of the Powers concerned of the possibility of limiting the output of these drugs.

5. The conclusions at which the committee had arrived were reinforced by action on the same subject in the United States of America. The United States had taken no part in the work of the Opium Advisory Committee before 1923, but a strong movement had sprung up in that country as a result of the widespread abuse there of narcotic drugs, and the United States Government sent a delegation to the annual meeting of the Opium Advisory Committee in that year to recommend for adoption by the League what are now called the “American principles.”\*

As a result of the discussions at that meeting, the committee

\* “1. If the purpose of The Hague Opium Convention is to be achieved according to its spirit and true intent, it must be recognised that the use of opium products for other than medicinal and scientific purposes is an abuse and not legitimate.

“2. In order to prevent the abuse of these drugs, it is necessary to exercise the control of the production of raw opium in such a manner that there will be no surplus available for non-medicinal and non-scientific purposes.”



submitted to the Council the first of the two resolutions which are printed in the appendix.\* In his letter acknowledging the receipt of this resolution, Mr. Porter, the chief United States delegate, stated that he should have pleasure in submitting to his Government for favourable consideration the proposal in paragraph 4 of the resolution as to the holding of a conference for certain purposes.

6. The committee at this meeting also had before it the question of opium-smoking in the Far East, for the suppression of which, as stated above, special provision was made in the second chapter of The Hague Convention. Though the convention had only been in operation for three years, most of the Powers had introduced restrictive measures to reduce the practice in their Far Eastern possessions a good many years before, and information had been furnished by the Governments to the committee as to the nature and effectiveness of the measures taken. The committee came to the conclusion, on the basis of the official reports and other information, that the situation was not satisfactory. The measures which had been taken had met with a considerable measure of success, and substantial reductions in the amount of consumption had followed their introduction; but the maximum effect of the measures appeared to have been reached and the position had become stationary. The committee noted also a considerable divergence between the measures adopted in the different territories. Most, but not all, had made the traffic a Government monopoly with a view to enabling the Government to keep a close control and eliminating the element of private profit, though in most places the retail trade was in the hands of private shopkeepers, acting under Government licence and supervision. Some Powers had adopted with considerable success the policy of raising the price to a very high figure. Some Powers, again, had tried the system of registration of smokers and rationing, but not all with equally good results.

The committee came to the conclusion that it would be desirable for representatives of the Powers concerned to meet and consider the possibility of taking in concert further measures to secure the more effective application of Chapter II of The Hague Convention. A number of suggestions for consideration were put forward by the British representative and embodied by the committee in their resolution (II in the appendix) as a possible basis of discussion at this conference.

7. In the course of the discussion on this question the Chinese representative asked that China should be included in the conference. With some hesitation the committee agreed, considering that in view of the reaction which the widespread revival in China of the production and use of opium was having on the situation in the Far Eastern territories where opium smoking is still continued, it might be useful to discuss the Chinese situation at the same time. The proposed terms of reference to the conference were accordingly enlarged, with the assent of the Chinese

\* See also below, p. 40, paragraph 26.



representative, to include "the measures which should be taken by the Government of the Republic of China to bring about a suppression of the illegal production and use of opium in China."

8. When these recommendations came before the Assembly of the League in September 1923, the Assembly passed three resolutions with regard to them, a general resolution by which they formally adopted the committee's report and resolutions "as a whole, at the same time taking note of the reservations contained therein,"\* and two resolutions specifically recommending the convocation of the two conferences. These specific resolutions were based upon the recommendations of the Advisory Committee, and, except on two points, no suggestions were made in the debate for any alterations in those recommendations. It was contended by the United States delegation at the Second Opium Conference that the reference of the conference had been enlarged by the resolution of the Assembly so as to include the general question of the "means of giving effect to the principles submitted by the representatives of the United States of America." This was certainly not the intention, as is evident from the report of the Fifth Commission to the Assembly; no suggestion to that effect was made during the discussions of the Fifth Commission, which were attended by the United States representatives, nor does the natural construction of the resolution support the contention of the United States delegation.

The two points on which modifications of the committee's recommendations were suggested, were the holding of two separate conferences and the constitution of the second conference. A proposal was made that the two conferences should be amalgamated, but was opposed by Great Britain on the ground that the question to be considered by the conference on opium smoking in the Far East was quite distinct from that to be considered by the other conference, and was one which only concerned the Powers having territories in the Far East, and in the decision of which other countries could not properly take part. This view was accepted by the Fifth Commission of the Assembly, but the United States delegation at the Second Opium Conference made some complaint that the proposal for amalgamation, which they had fathered, had not been accepted by the League.

The other suggestion was that the constitution of the second conference, which, according to the recommendations of the Opium Advisory Committee, was to consist of the States in which the drugs were manufactured or the raw materials (opium and the coca leaf) were produced, should be enlarged to include all countries which were members of the League or parties to The Hague Convention. The idea was that it would be advantageous to secure the accession of other countries, who would be concerned as consumers of the drugs, to any agreements that might be arrived at between the manufacturing countries or between the producing

\* These reservations were the reservations made, as regards the first recommendation of the committee, by certain countries as to the use of opium for smoking and also by India as to the domestic use of opium in India.



countries. The suggestion was recommended by the Assembly and acted on by the Council of the League.

The Assembly also recommended that the conference on the Far Eastern problem should be held first, on the ground that any decision which that conference might take with regard to the limitation of imports of opium for smoking into the Far Eastern territories would have a bearing on that part of the agenda of the second conference which related to the limitation of the production of opium for export. This recommendation was accepted by the Council.

9. In order that the proceedings at the conferences and the attitude taken at them by the British Government may be fully understood, it is necessary to refer briefly to the preparations for the conferences made by the League, and also individually by the British Government.

The Council, having decided to convoke the conferences, set up a committee of six (consisting of representatives of Great Britain, France, Holland and the United States of America, with Sir John Jordan and M. Brenier, assessors on the Opium Advisory Committee) to prepare a programme for each of the conferences. For the first conference, the Preparatory Committee agreed that the question of the measures to be taken for carrying out more effectively the policy of gradual suppression of opium smoking should be considered with special reference to the suggestions which, on the proposal of the British representative, had been embodied in the second resolution of the Opium Advisory Committee. On the programme, however, for the second conference they were unable to come to any agreement. The Advisory Committee at its meeting in 1923 had reported that the information obtained by the committee was steadily increasing and seemed to make it possible now to form a rough estimate of the world's requirements, and the primary object of the conference which they proposed was to see whether an agreement could be reached for a limitation of the amounts of the drugs to be manufactured. The British and United States representatives on the Preparatory Committee, in order to carry out this object as completely as possible, brought forward schemes the main features of which were that a figure for the world's output of the drugs, based on estimates to be furnished by each country of their requirements for medical and scientific purposes, should be determined, and that the manufacturing countries should undertake that the total amount manufactured should not exceed that figure, each country's quota being fixed by the convention. These proposals were supplemented and supported by proposals for the limitation and regulation of the export of the raw material. The French member of the committee was unable to accept any scheme on these lines, and submitted a counter-scheme, which he described as a scheme of "indirect limitation," and which only amounted to a scheme for the improvement of the machinery of control over the internal and international trade. The Dutch member also was unable to accept the schemes. The committee had accordingly to report to the Council that it had not been able to



agree on a programme. Perhaps the most useful work that it did was to examine carefully the statistical and other material which had been collected bearing on the agenda of the two conferences, and to arrange for the collection and tabulation of further material.

The report of the Preparatory Committee, in which it summarised the proposals that had been brought forward and the arguments which had been urged for and against the several schemes, was submitted to the Opium Advisory Committee at its meeting last August, and a further effort was made to arrive at an agreed programme for the work of the second conference.

As it was clear that there was no chance of France, and possibly other Powers, accepting a scheme for the limitation of the manufacture of drugs on the lines of the British and United States schemes, and as those schemes depended for success on the co-operation of all the manufacturing countries, a modified scheme was proposed on the following lines :—

- (a.) Every country should frame, annually, an estimate of the amounts it would require to import in the following year for medical and scientific purposes of each of the substances covered by The Hague Convention, whether required for domestic consumption, for manufacture or for commerce.
- (b.) The Governments should undertake not to allow the importation of more than the quantities specified in their estimates, unless in the course of the year they found it necessary to frame a revised estimate.
- (c.) The exporting countries should undertake that their exports to any country should not, together, exceed the amount estimated by that country.
- (d.) A central board should be constituted by the Council of the League. The board should receive at the beginning of each year the estimates of the countries, and during the year quarterly statistics of the imports and exports from and to each country, and should keep the Governments of the exporting countries informed when the imports into any particular country had reached the amount estimated.
- (e.) The board should also have the power of revising any estimate furnished by a Government which appeared to the board “to be greatly in excess of the reasonable requirements of the country and to be likely to be used in part for the illicit traffic.”

These suggestions were supplemented by a series of measures for strengthening and improving the provisions of The Hague Convention for the control over the internal and international trade. While this scheme did not meet with unanimous acceptance in the Advisory Committee, the French representative in particular opposing it, the committee finally decided unanimously to accept a motion proposed by the French representative that the scheme should be transmitted as a “series of measures which, in the opinion of the Advisory Committee, furnish a satisfactory basis for



the work of the conference and may prepare the way for a final agreement.”

10. It remains to notice the action taken by the British Government in preparation for the conferences. In preparation for the First Conference the Governments of the British Far Eastern possessions mainly concerned, viz., Malaya and Hong Kong, were asked in September 1923 to appoint local committees containing unofficial as well as official members, to examine the existing position, to consider what further measures could be taken and, in particular, to investigate the suggestions contained in the second resolution of the Opium Advisory Committee. A similar request was addressed to the British North Borneo (Chartered) Company. Committees were accordingly appointed in Malaya and Hong Kong, and prominent Chinese were invited to—and did—serve upon them. Action on similar lines was taken in North Borneo. The reports of these enquiries were received in London in the spring of 1924, and were subsequently communicated to the conference. The Malaya Committee in particular made a very thorough examination of the whole question, and their report\* was a very fair and frank document which made a favourable impression on members of the conference and others. No other Government took the same step, so far as we are aware, in arranging for an investigation by a mixed committee, and certainly no reports of any such investigations were laid before the first conference.

11. The results of these enquiries, conducted on the spot by representative local committees, made it necessary for the British Government to reconsider its position. Of the suggestions which had been put forward in its name at the meeting of the Opium Advisory Committee in 1923, the suggestions for a system of rationing, and, if possible, a system of registration, of smokers were those to which the greatest importance had been attached as making possible a real advance. The result of the experience of the existing systems of control had seemed to show that a system on these lines was the only means by which a gradual and effective suppression of the practice of smoking could be accomplished. If existing smokers could be registered, sales confined to persons so registered, and a ration fixed for the smoker, a progressive reduction in the number of smokers and in consumption would follow, and the problem of suppression would be solved automatically within a period not unduly protracted. This opinion was supported by the report of the Malaya Committee, which said (p. 63) that they had been “forced to the conclusion that eventual elimination of opium smoking in British Malaya can only be achieved without causing unnecessary hardship through control over smokers individually.” But both the Malaya and the Hong Kong Committees reported that the immediate introduction of the system would be impracticable, and, from the point of view of the limitation of consumption, would be ineffective. It would occupy too much space to recapitulate the

\* A copy of this paper and of the papers referred to later in the present report have been placed in the Libraries of the Houses of Parliament.



reasons for this conclusion, which are given in full in the reports (which have been published), but it must be noted that the dominant factor in the existing situation is the extent of opium smuggling in the Far East, which has grown enormously since the revival of the cultivation of the poppy in China in the last few years. The principal sources of this illicit opium are Persia and China, but most of that which reaches our colonies is Chinese. The Government of Hong Kong has estimated that "approximately equal quantities of Government and illicit opium are consumed in the colony." Some 10,000 to 12,000 Chinese pass daily between Hong Kong and China, and efficient as the preventive service there undoubtedly is—as has been shown by its successful efforts in tracking down the operations of the smuggling syndicates and making important captures—it is impossible to prevent large quantities of Chinese opium being smuggled into the colony. The Hong Kong Committee were accordingly of the opinion that registration and rationing would result in a flood of smuggling and could not be enforced in practice.

The circumstances of Malaya differ considerably from those at Hong Kong, and in some respects different considerations apply, but the conclusion of the committee is the same, though they considered that all steps taken to improve the existing system of control should have a system of registration and rationing as their eventual objective, and indicated a series of measures which might lead up to that goal.

It was clearly impossible to force upon the colonial Governments measures which they believed to be unworkable, and for whose administration they would have to be responsible, and it became necessary for the Government to consider the policy which should be adopted by its delegation at the first conference. It was necessary to abandon the suggestion put forward in the previous year for a system of rationing and registration as an immediate remedy. Prohibition, pure and simple, after a term of years, which was advocated in certain quarters, among others by Sir John Jordan, and which was the policy that had been adopted by the United States of America in the Philippines, though it would have relieved the Government of responsibility in the matter, would not have solved the problem, and might, in the view of the colonial authorities, have resulted in the situation getting entirely out of hand and serious trouble with the Chinese population ensuing. The supply of illicit opium would have continued, and doubtless, with the increased profits which would be obtainable when the Government supply was cut off, on a much larger scale. The practice of opium smoking would have been made illegal, but it would not have been suppressed, and the aims of Chapter II of The Hague Convention would not have been attained. This, indeed, is what has happened in the Philippines. The alternative course was to work for the improvement of the existing system of control, and, in particular, the establishment in all the territories of a complete Government monopoly from the import to the retail sale and the abolition of the farming system in all its forms; the prohibition



of all export of opium from the territories so as to limit the traffic to what was actually required for the service of the monopoly; concerted measures for dealing with the illicit traffic; and the adoption of preliminary measures, such as those indicated in the Malaya report, with a view to the adoption of the system of registration and rationing as soon as circumstances made it practicable.

The latter course was that which the delegation was instructed to take. At the same time, with a view to a definite advance being made, the British Government authorised the delegation to propose, if circumstances were favourable, the appointment of an impartial commission to visit all the Far Eastern territories in question, including China and the Philippines, to investigate the situation and to report what further measures of repression might be possible.

11A. In preparation for the second conference, the scheme to which reference has already been made, for the limitation of the manufacture of the drugs, and of the export of the raw materials for such manufacture, was worked out by the Home Office with the assistance of Sir Cecil Hurst.

Further investigations were also undertaken by the Home Office and Ministry of Health to arrive at a more accurate determination of the medical needs of the manufactured drugs in Great Britain. The methods adopted and the results arrived at are set out fully in the memorandum which was submitted to the second conference (O.D.C. 42).

## II.—THE FIRST CONFERENCE.

12. The first conference assembled on Monday, the 3rd November, 1924, and held twenty-four meetings. All the Powers having territories in the Far East in which the use of prepared or smoking opium is temporarily continued (*i.e.*, France, Great Britain, India, Japan, Netherlands, Portugal, Siam) and China were represented. The conference decided that all its plenary sittings should be held in public, and meetings of committees in private. Apart from the usual credentials and drafting committees, only one committee—to which reference is made below—was appointed by the conference.

The two subjects for the consideration of the conference were set out in the agenda as follows:—

- (1.)—(a.) Examination and consideration of the present situation in regard to the application by the Powers represented of Part II of the International Opium Convention of 1912 in their Far Eastern territories, and of the difficulties which have been encountered in giving effect to Part II;
- (b.) Consideration of the measures which can be taken to carry out more effectively the policy embodied in Part II of gradually suppressing the use of opium for smoking, with special reference to the suggestions put forward for consideration in the second resolution adopted by the Opium Advisory Committee of the League of Nations at its meeting in May 1923; and



- (c.) Preparation of a convention to embody the measures which may be agreed upon by the conference;
- (2.) Consideration (a) of the present situation in China with regard to the production of opium and its effects on the control of the use of opium in the neighbouring territories; and (b) of the measures which might be suggested to the Government of the Chinese Republic for bringing about a suppression of the illegal production and use of opium in China.

As the conference was expected to conclude its work within a fortnight, the second conference having been summoned for the 17th November, it decided to proceed with the consideration of the two subjects simultaneously, in view of the importance of allowing sufficient time for the consideration of the Chinese situation.

In this report, the proceedings of the conference in regard to the first of the two subjects will be dealt with first.

13. The general discussion was opened by the senior Japanese delegate, Mr. Kaku, who had been Civil Governor of Formosa and head of the Opium Monopoly Bureau there, in a speech in which he advocated the system adopted by the Japanese Government in Formosa as the best basis for achieving a satisfactory solution of the opium problem. That system he described as "a policy of progressive suppression leading gradually to absolute prohibition," under which those who have become habituated to the use of opium are allowed to smoke, but are treated medically as patients, licensed and rationed, while non-addicts are prevented from becoming addicts by "rigid police control and education." No Chinese who is addicted to opium smoking is allowed to enter the island (see also 10th day's proceedings, pp. 2-3). Mr. Kaku claimed that the benefit of this policy had not only been very great from the health point of view, but had been still greater from the point of view of the economic progress of the Formosan. General statements as to the position in their respective territories followed from other delegates. The Netherlands delegate stated that the first problem for the conference was the prevention of smuggling, which had never been "so alarming and threatening as it is now." In present circumstances prohibition would tend to increase enormously the illicit traffic, with the attendant results of leading to a widespread disregard of law and authority and the corruption of the officials. Licensing and rationing had been introduced in all the big centres since 1921, and was followed by a 50 per cent. decrease in "visible consumption," and an increase in the illicit consumption. The French representative insisted that the problem could be solved only by a limitation of the production of opium, particularly in China. The geographical situation of Indo-China prevented the French authorities from putting a stop to the illicit importation of opium, and a reduction in the official supply would only make matters worse "because the contraband opium is more harmful than the Government opium," and "because the smugglers form themselves into armed bands which hold the villages to ransom, engage in the traffic in women and infest every frontier" (7th day, pp. 2, 7). He



proposed a number of administrative improvements in the control, the chief of which were the abolition of the farming system, prohibition of transit or transshipment of opium and sale of opium only in shops maintained by the Administration.

The Indian delegation described the system of registration and rationing which had been in force in Burma for a long time as regards the Burmans and had been extended to Chinese in 1924. Whether it could succeed in the face of the contraband traffic remained to be seen. Opium was available on the Chinese border at very low prices and in very large quantities, and the amount of illicit opium in the province possibly exceeded the amount of Government opium.

14. At the end of the general statements, the conference decided, on the proposal of the British delegation, to appoint a committee of the four Powers whose problem was the biggest, viz., France, Great Britain, the Netherlands and Japan, to examine the rates of consumption in the different territories, to examine and compare the systems of control in the different territories, particularly in regard to the effects of the system of registration where it had been introduced, and to examine the sources of smuggled opium and the need for further control over exports. The committee's enquiry ranged over practically the whole ground covered by the first subject of the agenda of the conference, and was useful in shortening the work of the conference by indicating the points on which agreement might be expected and those in regard to which substantial difficulties or differences of opinion were found to exist. It had been hoped by the British delegation that, though no scheme of rationing seemed to be possible at the moment, the committee would be able to reach some useful conclusion as to what might fairly be regarded as a reasonable rate of consumption for the average smoker, with a view to providing an approximate basis for determining the normal opium requirements of the territories. This unfortunately proved to be impossible. It was contended that the rate of consumption in any territory could not be deduced from the amount of Government opium placed on sale, because neither the number of smokers nor the amount of illicit opium consumed was known in the territories; and the experts attached to the delegations, or most of them, were unable to say, from such knowledge as they had of the habits of the people, what the daily consumption of the average smoker was. It was admitted that the Chinese coolie or manual labourer formed the bulk of the smoking class, and in Malaya it was stated that his average consumption would be three or four pipes a day, but the experts generally thought that the rate of consumption varied greatly, both as between individual smokers in the same territory, and, to a certain extent, as between different territories. The discussion led the committee, however, to the unanimous conclusion that it would be extremely useful if the Governments would make an effort to obtain accurate information as to the number of smokers, and an article to this effect was subsequently inserted in the agreement drawn up by the conference.



At the conclusion of the committee's enquiry, drafts of a convention or agreement for the consideration of the conference were prepared both by the British and French delegations, which formed the basis of the subsequent discussions in the conference, and of the final agreement concluded by the conference. It will be sufficient to summarise these discussions, and state the results reached, in respect of the main questions that came before the conference.

*Government Monopoly.*

15. The committee unanimously agreed that "the establishment of a complete Government monopoly (*i.e.*, the retention in the hands of the Government of the importation, manufacture, sale and distribution to the consumers) has by experience been proved to be the only effective way towards the control of consumption"; but when the conference came to discuss the article drafted by the British delegation to provide for the adoption of the system and the elimination of all private interests in the traffic, it became apparent that different views existed as to the extent to which the system should be applied. Difficulties arose in particular over the suggestion contained in the second resolution of the Opium Advisory Committee that all private shops for the retail sale of prepared opium should be abolished, that such sale should be made only from Government shops, and that the persons placed in charge of such shops should be paid a fixed salary without any commission on the amount of business done. This suggestion had been accepted by the British Government, and steps were already in course of being taken to carry it into effect in the British possessions. The French delegation maintained, on the other hand, that it was impossible to do this in a territory so immense as Indo-China. Officials could not be appointed for every small up-country village where opium was smoked, as the amount of opium sold is very small, and the present system provides complete guarantees. The description given of the system was as follows:—

The manufacture took place in one of the Government factories, and the distribution of the manufactured article to the consumers was made through the Receivers of Customs and Excise, who were officials of a fairly high rank. These officials received direct from the factory the quantities of opium which they needed for the monopoly, and they themselves distributed to the licensed shopkeepers the quantities to be put on sale. The shopkeepers were chosen exclusively by the Director of Customs and Excise or by his delegates. These shopkeepers must present satisfactory guarantees of morality and honesty, so that it might be assumed that they would not have any dealings with the smugglers. This was an important point. The system at the same time enabled the French authorities to undertake humanitarian work. They chose as licensed shopkeepers widows and orphans, whom they were thus able to save from destitution thanks to the small remuneration which they were able in this way to earn. The licence granted to the keeper of the shop was only valid for a year and could be



withdrawn when the time for renewal came if it could be proved that he had not fulfilled his obligations. If, on the other hand, the number of shops was too much restricted, the consumer would not trouble to go a long journey of 100 or 200 kilom. in order to obtain his opium, but would have recourse to the smugglers, who would push their wares.

It was pointed out in reply that the point at issue was not one of guarantees, but of limitation of sales. It was possible to obtain every kind of guarantee to ensure the honesty of the retailers, &c., but this would not have a restrictive effect on the sale of opium. The system suggested in the British draft had been already adopted, or was accepted, in the case of the Netherlands East Indies, Malaya and Burmah, where the conditions were similar to those in Indo-China. It was admitted that the system would be difficult to apply in isolated up-country districts, where smokers were few and distances great, but an exception might be permitted which would allow special arrangements for sale by duly licensed agents to be made in such cases.

A compromise between the opposing views was finally reached, the French delegation agreeing to apply the system "experimentally" in all districts where effective supervision can be exercised by the administrative authorities, *i.e.*, in districts which were large centres of population, such as towns and urban districts.

It was pointed out by the Japanese delegation that though in Formosa the retailers were private individuals, the fact that each smoker was licensed and rationed afforded equally effective guarantees, and this contention was admitted by the conference.

A small concession had also to be made in respect of the manufacture of prepared opium. By allowing the sale of opium to the consumer in the prepared state only, and by employing special methods of packing the prepared opium, the Government monopoly is able to exercise a useful check on the illicit trade in opium and the retention in the hands of the Government of the preparation of opium for smoking is therefore an important part of the monopoly system. In one or two places, however, *e.g.*, the French leased territory of Kwang Chow Wan, where Government control has been only partial, the opium being disposed of wholesale to a number of "farmers," the consumer has been in the habit of preparing his own opium, and it was urged that it would be difficult to insist on a sudden change of habit. It was stated that in Kwang Chow Wan the French Government are already trying to introduce the sale of Government-prepared opium and would make it a Government monopoly as soon as they could. The sale to the farmers will cease as a result of the application to Kwang Chow Wan of the system of Government shops mentioned above (17th day, p. 5). In these circumstances, it was agreed that the change should be made "as soon as circumstances permit."

Portugal, in whose possession of Macao the "farming" system is still in full operation, alone of the States represented was unable to pledge herself to the adoption of the monopoly system at any definite date. Her representative contended that the system was not



suitable to the local conditions of Macao (17th day, p. 5), that under the farming system the contraband trade was much more effectively kept in check than under a monopoly, and that while, in order to reach unanimity, they would accept the principle of a monopoly, the Portuguese Government must remain the sole judge of the moment when circumstances would permit of its introduction. They accordingly appended a reservation in this sense to the agreement concluded by the conference.

Subject to the qualifications above mentioned, the principle of the full Government monopoly was unanimously adopted by the conference, and Dr. Sze, the chief Chinese delegate, said the proposals "would be welcomed by the whole world." This testimonial is the more interesting and noteworthy by reason of the fact that later, when the delegation of the United States of America to the second conference criticised the results of the first conference, Mr. Porter, the head of that delegation, declared that the result had been to create a prepared opium *bloc* or group of some of the most powerful nations of the world and that he regarded it as a decided step backward.

#### *Registration and Rationing of Smokers.*

16. It was stated above that, as the result of the enquiries instituted in Malaya and Hong Kong prior to the conference, His Majesty's Government had decided that in existing circumstances it would not be practicable to introduce the system at the present time. Opinion on the subject at the conference was divided, and those countries which had had experience of the system were not unanimous as to its success under present conditions. On the one hand, Japan claimed that the system had been entirely successful in Formosa; thanks to the effective police and customs supervision there was no smuggling of opium into the island,\* no new smokers were being created, and within a limited period of time the smokers who were registered at the introduction of the system would have disappeared. Accepting these claims as well-founded, one has to remember that Formosa is in an exceptionally favourable position. Free immigration of Chinese is not allowed—only a few thousand are admitted each year for temporary work—and the agents on the mainland are made responsible for seeing that no person who is a smoker is sent over. If one is sent over, he is returned. In the leased territory of Kwantung, moreover, where the conditions more closely resemble those of Hong Kong, the Japanese authorities have not till recently applied the same system as in Formosa, and it is uncertain yet whether it will meet with the same success (see 5th day, p. 4). On the other hand, the Netherlands representative stated that a system of registration or licensing was already in force in the greater part of the Dutch Indies, and that while in some parts very good results had been obtained, in other parts the results had been bad. "The kernel of the whole question was the smuggling trade," and the

\* The local press, however, reported seizures *inland* during January last, amounting to 24,860 momme = 3,288 oz.



question to be asked before the introduction of the system in any place was whether smuggling would be stimulated by it or not. Burma had had the system in operation some years for Burmans, but had extended it only last year to the Chinese, and it remained to be seen whether, with the extensive smuggling that goes on, it would succeed. Contraband opium in Burma was estimated to exceed the annual issue of Government opium (7th day, p. 4). So far as the British colonies were concerned, the position was fully explained by me in the course of the tenth and fourteenth meetings of the conference. China was sending both opium and new smokers into the colonies. As long as smuggling continued on its present enormous scale, the introduction of a system of registration and rationing would be extremely difficult and its advantages illusory. This did not mean, however, that the British Government was not anxious to do what it could to introduce such a system. It was of the opinion that a system of registration and rationing was the only method short of prohibition by which a gradual and effective suppression of the use of prepared opium could be brought about, and, where there was no large influx of opium from neighbouring territories, it would wish to adopt the system. The Malayan Government was already taking preliminary steps, in accordance with the recommendations of the Malaya Committee, to pave the way for the introduction of that system; and in Sarawak, where the conditions were favourable, the Government had already decided on registration. In order to obtain from the conference a definite recognition of the desirability of applying such a system as soon as circumstances made it possible, and in the meantime of taking such steps as would pave the way for its introduction (*e.g.*, the observer system recommended by the Malaya Committee), I moved the adoption of the following recommendation :—

“The conference expresses the view that the method of licensing (or registration) and rationing is the most efficacious, if not the only, method—short of prohibition—by which the suppression of the use of prepared opium can be brought about, and recommends that the Governments should keep constantly in view the possibility of adopting those measures, and should, in the meantime, take such preliminary measures as may be possible with a view to preparing the way for their introduction as soon as circumstances permit.”

This resolution was thought by some delegations to go too far, and finally the resolution which appears in the Final Act of the conference was agreed upon.

### *Smuggling.*

17. The conference devoted much attention to the problem of the contraband trade, and agreed upon several important measures for dealing with it. The most important of these related to the export of opium from, and passage of opium (in transit or transshipment) through, these territories. Export of opium, whether raw or



prepared, is already prohibited in most, but not all, of the territories. It is well known that the opium farmer at Macao carries on a considerable export trade, which is mainly, if not wholly, of an illicit character.

Large quantities of opium exported from the Persian Gulf and elsewhere to the Far East, mostly for illicit purposes, have been passing through the ports of these territories. Special attention has been given by the authorities in the British and other territories to this traffic with a view to preventing as far as possible the use of their ports for the contraband trade. It is now well known that shippers in the countries of export who engage in this traffic have been in the habit of consigning opium to places where no control is exercised over the traffic and which serve as centres for the distribution of the opium on the mainland (Vladivostok has been one of these centres); or alternatively of declaring false destinations, the opium being unloaded to other vessels in the Chinese seas before the vessel reaches the declared destination. Measures for the control of transit and transshipment have already been taken by some of the Governments, *e.g.*, the Dutch East Indies and Hong Kong. At Hong Kong, under a recent ordinance, transit or transshipment of opium is only allowed subject to compliance with certain conditions and with the permission of the authorities, who require to be satisfied as to the legitimate character of the consignment.

Proposals for dealing with export, transit and transshipment were submitted to the conference by both the French and British delegations. Both delegations proposed the entire prohibition of export of opium from the territories, but, while France also proposed the prohibition of transit and transshipment, the British delegation, in view of the fact that a legitimate trade existed, recommended that transit or transshipment should be subject to a strict control.

In connection with the discussion of this question, the Japanese delegation contended that the Hong Kong regulations were contrary to the "fundamental principle of the equitable treatment of commerce," and were inconsistent with the League conventions in regard to freedom of transit and freedom of maritime ports, and declared that Japan had "had the most unfortunate experience at Hong Kong" (15th day). They claimed that all the Governments should be required to allow export, transit and transshipment of opium if an import certificate from the Government of the importing country were produced, and that the authorities of the ports should be under a strict obligation to abstain from any unfair discrimination on the ground of the nationality of the vessel or the origin of the goods. The Japanese delegation, they stated, would be unable to sign any agreement which did not give effect to these principles. This claim raised a very important question of principle. It would have obliged any Government to allow a consignment of opium to leave or to pass through its territories, provided that it was accompanied by an import certificate of another Government, even though there were the gravest reasons for suspecting it was destined for illegitimate purposes, and would have seriously weakened their powers of dealing with the illicit



traffic. The British delegation declared itself unable to admit such a claim and was supported by other delegations. In the end a settlement was reached—the Japanese delegation declaring itself satisfied with the explanations given by the British delegation and agreeing to provisions for the prohibition of export and control of transit and transshipment in conformity with the British views. The understanding between the delegations was embodied in an exchange of notes, which are printed in Appendix III.

These provisions were accepted by all the delegations, except the Chinese, who withdrew from the conference, but the Portuguese made a reservation that they would not be able to put into operation the prohibition of export until the present farming contract has expired in three years' time.

Two other articles were inserted in the agreement for the purpose of facilitating the suppression of the contraband trade. One of these provides for direct exchange of information and views between the heads of the preventive services in the territories. A great deal of local smuggling goes on between the territories, *e.g.*, between Indo-China, Kwang Chow Wan, Hong Kong, &c., and also between China and the territories; the smugglers, often grouped in syndicates, have branches, agents or correspondents in more than one of the territories, and information obtained by raids or seizures in one place often discloses valuable particulars of the operations which are being carried on, and the persons who are carrying them on, in other places. A great deal of important information of this kind has been obtained by the Government of Hong Kong in the last two or three years. Most of this local trade is in Chinese opium, but not all. The smugglers of Kwang Chow Wan have been found to deal also in Indian opium, though how they obtain it is not known with certainty. Some of it probably came from the Kwang Chow Wan farmers. The more wealthy and powerful syndicates import into the Far East Persian and Turkish opium, which is preferred by those who can afford it to Chinese and commands a very high price in the Far East. The Hong Kong firm of Nemazi owns and uses a fleet of steamers for this trade. The opium rarely comes now into the territories where a watch is kept on shipments of a suspicious character—though transshipment may take place under cover of, for instance, a Vladivostok import certificate (such a certificate is not accepted in the British territories), but a considerable amount of Persian opium goes to Macao and is re-exported from there to unknown destinations.

Some interchange of information already takes place, but it was felt that by bringing the heads of the different services into much closer relations, authorising them to communicate regularly and directly to each other all important information, and giving them the opportunity of meeting from time to time to exchange views and concert measures, a much more effective campaign against the contraband trade could be waged. It was also urged by the British delegation that the other Powers should take the same measures as have been taken by the British Government in the Dangerous Drugs Act, 1923, section 2 (1) (1) (d), and by the



Hong Kong Government in the ordinance of the 31st December, 1923, section 38 (1) (d), for dealing with the traffickers who carry on their business from a headquarters within the jurisdiction of the Government, but whose actual transactions take place outside the jurisdiction. For instance, until the recent Hong Kong ordinance, it was no offence for a firm in Hong Kong to buy opium in Persia and have it transported to and smuggled into China. The French and some other delegations thought there might be constitutional difficulties in the way of the adoption of such measures, and all that it proved possible to secure was an article under which the Powers undertake to examine in the most favourable spirit the possibility of such measures. The matter is one which will doubtless continue to be pressed by the British representative on the Opium Advisory Committee and at the Assembly of the League of Nations.

#### *Other Provisions.*

18. The other provisions of the agreement for the prohibition of the sale of opium to minors and their admission to smoking divans,\* the limitation of the number of shops and divans, prohibition of the sale of dross, and propaganda to discourage the smoking of opium do not call for special comment. To a large extent they represent existing practice in most of the territories. Their full and general adoption will help to prepare the way for the final measures of suppression.

No provision was adopted on the question of prices, opinions differing as to the utility of a policy of high prices as a means of reducing consumption. That policy has been adopted with a considerable measure of success in the British possessions, but it was contended by the Japanese that high prices meant smuggling and illicit smoking, and that, at any rate under the conditions existing in Formosa, a relatively low price was both the more effective and the humaner course (10th meeting).

Lastly, in view of the fact that existing conditions made it impossible to arrive at any final solution of the problem of opium smoking at the present time, it was agreed that the Powers concerned should review the situation jointly from time to time, and that the first conference for the purpose should take place not later than 1929.

#### *The Situation in China.* (Proceedings of 3rd, 8th, 9th, 11th and 14th days.)

19. If the conference was unable to do all that had been hoped as regards the first part of its agenda, it was able to do nothing as regards the second part. It had been expected that the delegation from China, which was taking part in the conference at her own request, would come prepared to discuss freely and fully

\* A proposal of the French and British delegations to extend this prohibition to women was resisted by the Japanese delegate on the ground that it would be unjust to discriminate between men and women, and would arouse protests throughout the world.



the present opium situation in China and that a friendly discussion might lead to the suggestion of measures which might tend to check, if they could not prevent, the wholesale revival of the production of opium in China, and its disastrous effects not only on the people of China, but also on the position in the other Far Eastern territories where opium smoking still continues. Unfortunately, this hope was disappointed. The Chinese delegation maintained the same attitude as the Chinese representative had taken up in the previous discussions on the subject at the meetings of the Opium Advisory Committee. At the outset, Dr. Sze, the leading delegate, stated that he could not tolerate any discussion of the internal situation of China, and in his speeches he minimised the extent of the production of opium which he said was mainly confined to a few provinces, and challenged the evidence produced as to the extensive smuggling of opium from China into the neighbouring territories; spoke much of the responsibilities of the other Powers and what they ought to do; and formally asserted the unalterable determination of the Central Government to enforce the anti-opium laws as soon as their power over the provinces was re-established.

The conference was friendly, indeed sympathetic, towards the Chinese delegation in what was for them a difficult position, but it was not prepared to let Dr. Sze's description of the situation pass unchallenged or to admit that the Powers were responsible for it. Accordingly, addressing the conference on the subject, I traced the history of the efforts already made by the League to deal with this question, concluding with the resolution adopted by the Assembly in September 1924 which recorded "its sense of the unsatisfactory character of the official investigations which had been made (*i.e.*, by the Chinese Government), and of the official reports which had been furnished to the League"; drew attention to the reports of the Anti-Opium Association in Peking, and of the British representatives in China as to the extensive growth and use of opium even in districts within the influence and control of the Central Government itself; and produced evidence from the official reports of the Hong Kong and Malayan Governments as to the large quantities of opium which are being smuggled out of China. In reply to Dr. Sze's complaint that only criticism and no constructive suggestions had come from the delegates of the other Powers, I suggested that there were two measures which could be taken at once by the Central Government, and which would go far to restore the confidence of the other Powers. One was to make the thorough investigation, which the Chinese Government had pledged itself to the League to undertake, a reality. The other was to enforce its policy in the metropolitan provinces which were under its control.

A vote of confidence in the declaration of the Chinese delegate was moved by the Japanese delegation, but was ultimately withdrawn.

No conclusion could in the circumstances be reached by the conference, and in the end the Chinese delegation, which,



with the United States delegation, withdrew from the second conference, withdrew also from the first before the moment of signature. Nevertheless, though this part of the work of the conference was fruitless, it will have served a useful purpose if it has helped to bring into prominence the fact that the opium situation in China is the dominant factor of the Far Eastern problem, and to make public opinion in China and elsewhere alive to the urgency of the question. It is possible that in any case the conference could not have succeeded in doing much more. It is in the power of the Chinese people alone to supply a remedy.

It will not be out of place here to refer to the unofficial movement which is being organised in China by the National Anti-Opium Association of China. This appears to be the most hopeful feature in the situation at the present time. It is worth noting that it is estimated by the promoters that it will take ten years to bring the work to a successful issue. One constructive suggestion made by the Association is that the Powers should exclude from their territories Chinese immigrants who are opium smokers. This has been found possible by the Japanese in Formosa. It would clearly be very difficult, if not impossible, in Hong Kong.

Another point which may be referred to here is the question of the control exercised by the treaty Powers over their nationals in China in connection with the traffic in opium and drugs. In Chapter IV of The Hague Convention the treaty Powers have undertaken certain obligations in regard to this matter, and Dr. Sze, during the course of the second conference, asked that the question might be considered. He stated that he was quite satisfied with the action which had been taken by Great Britain and the United States of America to exercise an effective control over their nationals, and he asked that similar action should be taken by all the Powers. A meeting was accordingly arranged of representatives of the treaty Powers present at the second conference with a view to preparing a code of regulations which might be recommended to their Governments for adoption. Unfortunately, owing to the difficulties which arose in the second conference, and which ended in the withdrawal of the United States and Chinese delegations, it was not possible to reach any conclusion; but I venture to suggest that it should be taken up afresh. It is well known that China has some grounds for complaint in this matter.

In a memorandum criticising the work of the first conference which Bishop Brent, a member of the delegation of the United States to the second conference, circulated to the members of that conference, he blames the first conference for doing nothing in regard to this part of its work. He says that an article might have been inserted in the convention "embracing" the assurances given by the Chinese delegation of the goodwill of the Chinese Government and its fixed determination to be loyal to its principles and purposes, and that "some reasonable offer of a co-operative character from neighbouring countries which are in greater or lesser degree dependent upon Chinese resident in them for labour, would have been an encouragement and a part solution of the problem. For instance,



that they would move *pari passu* with China in the matter of suppression, whether by immediate prohibition or graduated stages, from the moment the Chinese Government was in a position to take effective action; that they would refuse admission into their territories of Chinese addicts; that they would look on addiction as disease and treat addicts accordingly; that they would adopt the system of licensing and rationing, inviting China to do the same; that the most vigorous and wise propaganda against the use of prepared opium be organised by all countries concerned, beginning with children and extending to every section of society; that they would use as much of their opium revenue as was necessary for carrying out effectively the foregoing measures." This criticism loses sight of the fact that what the conference was asked to consider was the situation in China and the measures which could be suggested to the Chinese Government for improving that situation. It is difficult to see how any of the measures on the part of the Powers suggested by the bishop could, on the one hand, induce the independent or semi-independent provincial authorities to suppress the growth of the poppy, or, on the other hand, strengthen the control of the Central Government over the provinces, or give to the Central Government any stronger inducements to perform what they have already undertaken to do. The suggestion that China should be invited to introduce licensing and rationing is difficult to understand, in view of the declaration by the Chinese delegation that the Chinese Government would never accept the recognition of opium smoking and the establishment of a Government monopoly that would be entailed by the proposal.

#### *United States Intervention.*

20. The results of the conference greatly disappointed many persons interested in the Far East who had been following the proceedings of the conference, and a movement was set on foot to prevent the agreement being signed. An appeal was addressed to me by the secretary of the International Missionary Council to withhold my signature on the grounds that the provisions of the agreement "fall far short of the existing practice of the British Government in its Far Eastern colonies and other territories," and might be interpreted by some as though "the British Government is consenting to what would be backward steps"; and, further, that the agreement might be "used by propagandists in the Far East who are already doing all in their power to discredit European civilisation and Christianity, and who will not hesitate to claim that they find in this document further evidence of the concern of the European Powers only for their own economic advantage." Similar letters were received from other bodies, and His Majesty's Government was approached in the same sense.

In the meantime, as the first conference had been unable to get through its work in the bare fortnight allotted to it by the Council, the second conference had begun, and at its first meeting the head of the United States delegation formally reserved the right



“to move that the agenda be amended in the event of the first conference not providing an effective means for the suppression of the traffic in prepared opium or failing to reach an agreement.”

Three weeks later, when the first conference had finished its work and the agreement it had reached was ready for signature, the United States delegate gave notice in the second conference of a motion to present for the consideration of the conference and for reference to an appropriate committee certain proposals relating to prepared opium. These proposals were to the effect that each of the Far Eastern Powers should agree to reduce its imports of opium for smoking by 10 per cent. annually, starting from the date of ratification of the convention, and not to “supplement the reduction by domestically-produced opium,” so that at the end of the ten years the use—or rather the legal use—of opium for smoking in the Far Eastern territories would be ended.

These proposals were included in the printed document which was circulated by the United States delegation to the second conference at the commencement of the conference on the 17th November, and contained the whole United States scheme for dealing with the drug traffic.

In speaking in support of his motion, Mr. Porter made grave charges against the Powers represented at the first conference. He represented them as “the nations who have not complied with Chapter II” of The Hague Convention, while the United States and a “number of other nations signatory to the convention have carried out their part of the agreement,” and have stamped out the use of prepared opium. He further represented these Powers as having attempted at the first conference to release themselves by a supplementary agreement from the fulfilment of the obligations undertaken by them under The Hague Convention, and as using the increase of smuggling in the Far East “as an excuse for their failure to fulfil the obligations undertaken under The Hague Convention.” He declared that “as a result of the agreement there has been created a prepared opium *bloc*,” and that he “regarded the conclusion of an agreement providing for the organisation of a prepared opium *bloc* or group as a decided step backward.”

In accordance with the instructions which I had received, I at once declared that the subject which had been referred by the League to a separate conference was not within the competence of the second conference, and that the British delegation could take no part in the discussion of the United States proposals. The first conference had with considerable difficulty arrived at an agreement, and though the British delegation, for one, regretted it had been unable to go further and include proposals for direct limitation, the agreement did not deserve the attack which had been made upon it.

Most of the other representatives of the Far Eastern Powers who were directly concerned spoke in much the same sense, but the United States motion received strong support from the Latin-American and other delegations, who were not very familiar with the question.



The resulting discussion threatened to produce a deadlock, and I was instructed to secure a postponement of the signature of the first conference agreement in order that His Majesty's Government might consider the position further.

In the circumstances, the only course which seemed likely to prevent either the withdrawal of the United States delegation or the break-up of the second conference was for the conference to adjourn for a short time, and at a meeting between the president and delegates of the States chiefly interested, this course was agreed upon. The adjournment lasted from the 16th December to the 19th January.

During the interval the whole position was reviewed by His Majesty's Government. The motives animating the United States Government were fully appreciated, as was the value of the principle which they urged of suppression within a definite period. It was accordingly decided that, without prejudice to the view of His Majesty's Government and other Governments that the matter was not within the competence of the second conference, the desire of the United States delegation to raise the subject might be met by the British delegation agreeing to take part in a general discussion of the subject and stating the position of His Majesty's Government; secondly, that the attitude of His Majesty's Government in regard to the suppression of opium smoking might be defined more positively, and an undertaking be offered that opium smoking would be abolished in the British Far Eastern territories within a fixed period from the restoration of control in China over opium production and stoppage of smuggling of opium from China. The proposal for an investigation by an impartial commission of the League of Nations was also to be repeated. It was also decided that a Cabinet Minister—Viscount Cecil of Chelwood—should attend the second conference to state the views of His Majesty's Government.

The declaration of policy which Lord Cecil was authorised to make was in the following terms :—

“(1.) His Majesty's Government undertakes that opium smoking shall be abolished in the British Far Eastern territories in which such smoking is temporarily authorised, within a period of not more than fifteen years from the date on which the effective execution of the measures taken by China to suppress the growth of the opium poppy has reached such a stage as to remove the danger of opium smuggling from China into those territories.

“(2.) As soon as it is established in the manner indicated in the following paragraph that the effective execution of the said measures has reached the stage referred to above, the necessary measures will be initiated to enable the complete prohibition of smoking to be effective at the end of the said period.

“(3.) The question when the effective execution of the measures mentioned in paragraph (1) has reached the stage referred to in that paragraph shall be decided by a commission



to be appointed by the Council of the League of Nations, whose decision shall be final.

“(4.) It is understood (a) that, as soon as the period of fifteen years referred to in paragraph (1) has begun to run, opium smoking by persons who are not smokers at that date shall forthwith be prohibited; (b) that the complete prohibition of opium smoking to be effective by the end of the said period of fifteen years is not inconsistent with special and temporary provisions for persons in whose case it is certified by the medical authorities of the State concerned that they cannot be completely deprived of the drug without serious danger to life or health.”

The proposals were communicated to Sir John Jordan, who replied :—

“After careful perusal, I find that these proposals represent the views I hold on the subject. They appear to me to constitute a practical and satisfactory solution of the question.”

The intentions of His Majesty's Government were communicated to the French and Netherlands Governments, who decided to take similar steps.

When the conference reassembled on the 19th January, Lord Cecil was present, representing Great Britain; M. Daladier, the Minister of the Colonies, representing France, and M. Loudon, the Netherlands Minister at Paris, representing Holland.

The resumed discussion on the United States motion was opened by Lord Cecil at the 19th plenary meeting. In his speeches at this and the 22nd meeting\* he made a full statement of the position of His Majesty's Government in regard to the United States proposal and the question of the suppression of opium smoking in the British possessions. On behalf of His Majesty's Government, he maintained the view that the question which had been referred by the Assembly and Council of the League to the first conference was not within the competence of the second conference, which had been convoked for a different purpose; explained the grounds on which, in the opinion of His Majesty's Government, the United States proposal could not, under existing conditions, succeed in bringing about the suppression of opium smoking in the British possessions, and might even increase the evil, and stated that His Majesty's Government would not enter into an engagement and pass laws which they would not be able to carry out; reaffirmed the determination of His Majesty's Government to carry out to the full the obligation which it had undertaken in Chapter II of The Hague Convention, and formally made the declaration of policy referred to above. He stated that the offer contained in this declaration had received the approval of Sir John Jordan, who was the author of the United States plan, and pointed out that it was in accordance with the suggestion which had been made

\* See also Lord Cecil's speech at the 26th plenary meeting and at the 3rd meeting of the Joint Committee of the two Conferences.



by Bishop Brent himself in the "appeal" which he had addressed to the conference that the Powers should "move *pari passu* with China in the matter of suppression, whether by immediate prohibition or by graduated stages, from the moment the Chinese Government was in a position to take effective action." Finally, he repeated the proposal already made by His Majesty's Government that a commission of enquiry should be appointed by the League. On the question of competence, Lord Cecil remarked:—

"I am deeply impressed with the importance of proceeding in international gatherings with absolute regularity. The general system of such gatherings is still in its infancy, and it is very important not to do anything which may seem to those who take part in them likely to be dangerous and uncertain. I think it is very important, therefore, that we should not attempt, whatever the motive may be, to extend beyond our mandate the competence of this conference."

The undertaking offered by His Majesty's Government made an excellent impression in quarters where moderate views were held, and was regarded as a fair and reasonable offer.

M. Loudon and M. Daladier followed and associated themselves with the British offer of suppression within a fixed period from the time when the measures taken by the producing countries had removed the contraband danger. This offer was subsequently embodied in two protocols for adoption by the first and second conferences respectively, which in substance were the same as the protocols finally adopted and appended to the agreement adopted by the first conference and the convention adopted by the second conference respectively.

The offer and the suggestion of a commission of enquiry were rejected by the United States delegation, who adhered to the demand for complete suppression within a fixed term of years from the present time, and suggested that the offer was an attempt, prompted by financial considerations, to evade the obligations of The Hague Convention. Lord Cecil repudiated this suggestion, and, to the further suggestion that, in refusing to accept the United States proposal, the Powers were making a different standard for the people of their own countries where opium smoking was prohibited and the peoples in their possessions in the Far East, pointed out in reply that the policy of His Majesty's Government was the same for both, and that their objection to the United States proposal was "solely one of practice—solely on the ground that one proposal would not succeed, whereas they believed the other would succeed."

The debate continued over six plenary meetings of the conference without any agreement or basis of an agreement being reached. To prevent a breakdown, an attempt was made, on the suggestion of two of the neutral nations (Sweden and Finland), to find a possible basis of compromise through the appointment of a joint committee of the two conferences. This expedient was tried, but



met with no greater success. The issue, as Mr. Porter said, had become a "very simple one." "There does not seem to be any material dispute here as to the period of time, namely, fifteen years (within which the suppression is to be effected). There does not seem to be any dispute as to the care of the confirmed addicts at the end of that period. The question seems to us to have narrowed down to a very simple one so far as our procedure is concerned, but to a very perplexing one so far as the result is concerned—that is, when shall the fifteen years begin to run." The position, when the joint "Committee of Sixteen" assembled, was that the arguments brought forward by the British, French and Dutch delegations had not been met, nor had it been explained how, in the view of the United States delegation, effect could be given to their proposal of complete suppression within a fixed term of years, under existing conditions. In the joint committee, Mr. Porter confined himself to a brief reaffirmation of his position. It would have been useful if evidence could have been supplied from United States experience in the Philippines to show how prohibition could be worked, and to prove that it had been successfully carried out in that possession of the United States. As it was, a request from M. Loudon for the latest figures in regard to seizures of contraband opium in the Philippines was not met.

The Japanese delegate stated that prohibition had been tried in Kwantung, but unsuccessfully (20th day).

In the end, the controversy was terminated by the withdrawal of the United States delegation from the conference before the Joint Committee had finished its work. The failure of the United States proposals in regard to the limitation of the production of raw opium (see paragraph 26) contributed to this regrettable result.

It is interesting to note that the Joint Committee did not consider that the negative result at which it had arrived necessarily meant "a breakdown in the efforts to carry out in a comparatively short time the total suppression of the use of prepared opium. On the contrary, the majority was confident that the Governments concerned would not remain inactive." They would, it hoped, "find a satisfactory method of deciding when this period of fifteen years should begin to run. If the duty of taking this important decision be left to the League of Nations, of which the impartiality and authority cannot be doubted by anyone, the labours of the conferences have not been in vain. Even if the members of the conference were to leave Geneva without knowing exactly the date on which the final struggle against prepared opium will begin, they should nevertheless know that the League of Nations is bound at some date to declare to the general satisfaction of the world 'the fifteen years are to begin to run now, there must be no further delay.'"

At its final meeting on the 11th February, the first conference adopted unanimously the draft protocol which had been framed by the British and French delegations. By this protocol the Powers, in the first place, placed formally on record that the provisions of



the first conference agreement were supplementary to, and designed to facilitate the execution of, the obligation which they had undertaken in Chapter II of The Hague Convention, and in the second place, undertook to suppress the consumption of prepared opium in these territories within the period of fifteen years from the date, as determined by a League of Nations Commission, when the smuggling of opium from the producing countries ceases to be a serious obstacle to the enforcement of restrictive measures.

The other protocol by which the producing countries were to agree to "take such measures as may be required to prevent completely within five years from the present date, the smuggling of opium from constituting a serious obstacle to the effective suppression of the use of prepared opium," and on the fulfilment of which the fulfilment of the first protocol depends, was adopted by the second conference. It remains to be seen whether all the producing countries chiefly concerned will or can undertake this obligation. The Chinese delegate, to whom the question was directly put by Lord Cecil, refrained from stating whether his Government would accept the protocol. The attitude of the Persian delegate throughout the second conference was that reduction of opium production in Persia was dependent on assistance—financial and other—being given to the Persian Government (see paragraph 26). A proposal for a commission of enquiry into the conditions in Persia was referred by the second conference to the Council of the League and is now before the Council. The question of the situation in the producing countries will no doubt come up for further consideration at the meeting of the Assembly.

#### *Application of Opium Revenues.*

21. Behind the discussions which took place on this subject was undoubtedly the feeling, to which expression was frequently given, that the Governments concerned—and not least His Majesty's Government—were actuated, in their policy on the question of the suppression of opium smoking, by considerations of revenue. The fact that a very considerable proportion of the revenues of certain of the Crown colonies is drawn from the traffic in opium for smoking, which is a criminal offence in the self-governing parts of the British Empire and which His Majesty's Government is internationally bound to suppress, lends colour to this allegation. Both in the first and in the second conference it was emphatically declared by the British delegations that His Majesty's Government would not be deterred by any financial considerations from taking whatever steps may be practicable for carrying out their obligations under The Hague Convention. It is doubtful whether, even among the neutral delegations who were not prepared to support the United States proposal, that feeling has been dissipated. It is certain that the United States delegation held it strongly. It is a point of which more will undoubtedly be heard.

An appeal was made by the Chinese delegate in the first conference (17th meeting)—and the question was also referred to by Bishop Brent in the second conference (4th meeting)—that, at least,



the opium revenues should be earmarked and devoted to humanitarian purposes for the welfare of the Chinese populations, among whom the practice mainly exists, in the Far Eastern territories. The question is one which had already been under the consideration of His Majesty's Government, but it was felt that there would be great practical difficulties in adopting this course. A large amount is being spent in the British possessions on measures for the welfare of the Chinese populations, and if the opium revenues were to be assigned to new and additional schemes, the Governments would find themselves committed to programmes the funds for which would gradually decrease from year to year with the gradual suppression of the use of opium. It seems worth consideration, however, whether definite schemes for propaganda, hospital treatment of addicts, and the like, should not be set on foot or developed—measures of this kind are already in existence in some at least of the British possessions—and particulars of what is being done reported fully in the annual reports submitted to the League.

### III.—THE SECOND CONFERENCE.

22. The second conference met on Monday, the 17th November, 1924, and closed on the 19th February following. Forty-one States took part and may be classified as follows:—

- 6 States producing raw opium—Turkey, Persia, India, Serb-Croat-Slovene State and, on a small scale, Greece and Egypt.
- 2 States producing the coca leaf—Bolivia, Netherlands (Dutch East Indies).
- 7 States manufacturing morphine, heroin or cocaine—Great Britain, France, Germany, Netherlands, Switzerland, United States of America and Japan.
- 27 States interested only as consumers—Albania, Australia, Belgium, Brazil, Bulgaria, Canada, Chile, China, Cuba, Denmark, Danzig, Dominican Republic, Spain, Finland, Hungary, Irish Free State, Italy, Luxemburg, Nicaragua, Poland, Portugal, Roumania, Siam, Sweden, Czechoslovakia, Uruguay, Venezuela.

The conference held thirty-eight plenary meetings. An analysis of the proceedings at these meetings shows that nine were occupied with questions of procedure, twelve with the difficulties which arose on the United States proposals to enlarge the conference and fifteen with the substantive business of the conference.

The agenda of the conference, based on the resolution of the Assembly in pursuance of which the conference was convoked and adopted by it at its first meeting, ran as follows:—

“Consideration of the measures which can be taken to carry out the Opium Convention of 1912 with regard to (1) a limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; (2) a limitation of the amounts of raw opium and the coca leaf to be imported for that purpose



and for other medicinal and scientific purposes; (3) a limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes.”

In the speech with which M. Zahle, who had been nominated as president by the Council of the League, opened the conference, he stated that it was on the proposal of the United States delegation that the Advisory Committee at its session in 1923 adopted the resolution for the limitation of the manufacture of narcotic drugs as a result of which the conference had been called. This, of course, was a mistake. The resolution of the Advisory Committee was adopted on the motion of the British representative.

23. The work which had been done by the Preparatory Committee appointed by the Council and by the Opium Advisory Committee in preparation for this conference has already been described in the first part of this report. It will be sufficient therefore to say here that the conference had before it as a basis for its labours—

- (1.) The measures elaborated by the Opium Advisory Committee, which fell into two parts :—

Part I, containing the Advisory Committee's scheme for bringing about a limitation of the manufacture of the drugs and production for export of the raw material—raw opium and coca leaf.

Part II, containing proposals for a more effective control over the national and international trade, more particularly the latter.

- (2.) The estimate prepared by the Health Committee of the League as to the world's legitimate requirements of the drugs. This was supplemented by a report, communicated by the British delegation, of the enquiries which had been undertaken by the Home Office and Ministry of Health into the consumption of the drugs in Great Britain for medical purposes.

At the commencement of the conference a body of proposals was laid before the conference independently by the delegation of the United States of America. These proposals were drafted in the form of a new convention to replace The Hague Convention.

In regard to the special questions that the conference had been summoned to consider, the United States proposals were based on, and followed in substance, but with some differences of detail, the measures worked out by the Opium Advisory Committee, in the consideration of which a representative of the United States Government had taken part.

They added to these the four following proposals, which were unexpected :—

- (1.) That the production and distribution of raw opium and the coca leaf should be so controlled that there would be no surplus available for purposes not strictly medical and scientific.



- (2.) That the use of opium for smoking should be brought to an end within ten years.
- (3.) That the manufacture and distribution of heroin should be prohibited.
- (4.) That The Hague Convention should be extended to include
  - (a) preparations containing morphine and cocaine in quantities less than .2 and .1 per cent. respectively, at present excluded; (b) all derivatives of morphine or cocaine and all alkaloids of opium or the coca leaf, *e.g.*, codeine.

These proposals raised the question of the competence of the conference to go outside the reference fixed for it by the resolution of the Assembly.

At an early meeting, the Egyptian delegate also submitted a proposal—which was outside the agenda—for bringing “hashish,” or Indian hemp, within The Hague Convention.

As regards the four United States proposals, it was arguable that the third and fourth of these proposals were covered by the agenda of the conference, though no notice had been given to the Governments represented that they would be raised, nor had any enquiry for the purpose of their consideration by the conference been made either by the Preparatory Committee or the Opium Advisory Committee. I did not think it necessary or desirable, therefore, to take any objection when it was moved by the United States delegation that these proposals should be taken into consideration and referred to the appropriate committee.

With the first and second proposals the case was different. The difficulties caused by the second proposal have been described in the preceding part of this report which deals with the first conference. I will now pass to those caused by the first proposal. To understand them it is necessary to go back to the proceedings at the meeting of the Opium Advisory Committee in 1923. The United States delegation which attended that meeting presented as a principle for the acceptance of the committee that the use of opium for other than medicinal and scientific purposes is an abuse, and that, in order to prevent such abuse, the production of raw opium should be so controlled that there will be no surplus available for non-medicinal and non-scientific purposes. This proposal raised the question of the domestic consumption of opium by the natives of India and some other Asiatic countries for a variety of purposes, many of which it is claimed are semi-medical in character, *e.g.*, as a preventive against fatigue, as a sedative, as a remedy for certain ailments, and so on.

The United States delegation then were not prepared to admit that such use was legitimate, though they disclaimed any wish or thought of interfering with the internal affairs of India, but it was thought that the difficulty had been got round in the resolution which was unanimously adopted by the Advisory Committee and which was concurred in by the United States delegation. The fourth paragraph of the resolution which recommended the summoning of



a conference for certain purposes deliberately limited the reference—so far as the control of the production of raw opium was concerned—to the limitation of the production for export.

As in the case of the other United States proposal relating to the use of prepared opium, the United States delegate contended that the reference to the conference had been enlarged by the Assembly to include all questions involved in the application of the “American principles”—which he claimed had been accepted by the League of Nations and should now be treated as League principles. The contention of the United States delegation that the reference to the conference had been extended by the Assembly has been discussed earlier in this report. As regards the further contention that the “American principles” have been accepted by the League, it is important to put on record the precise sense in which this is the case. The resolution of the Opium Advisory Committee, which the Assembly of the League approved, accepted the “American principles,” and recommended them to the League, “as embodying the *general* principles by which the Governments should be guided in dealing with the question of the abuse of dangerous drugs and on which, in fact, the International Convention of 1912 is based.” That is, they were accepted as a statement of general principles. They were not regarded as a statement of policy capable of general application, without qualification.

It was obvious that the United States proposal contained the seeds of a controversy which the conference would not be able to settle, and I therefore attempted to turn the difficulty on the following lines. I pointed out that it had certainly been understood by the Opium Advisory Committee and by the Governments most interested that this question was not going to be raised; that the question had never been touched on in the work done either by the Preparatory Committee or by the Advisory Committee in preparation for the conference; that no notice had been given of the intention to raise it; and that the Governments concerned had been given no opportunity of considering it and giving instructions to their delegations in regard to it. The subject of the domestic use of opium by the natives of India was a controversial one, on which very different opinions are entertained both by medical men and others, and a discussion of it at the conference could not lead to any result and would hinder the proper work of the conference. At the same time, we recognised that it was of the first importance to the United States Government that over-production of opium should be reduced so that there should be no surplus available for the illicit international traffic, and I said if the purpose of the United States proposal was that production should be so limited that there should be no surplus available which could be sent out of the producing countries beyond the quantities required for medicinal and scientific purposes, there was no difference between us. We were all agreed as to the desirability of such limitation, and its practicability was one of the questions which the conference had been called to consider.

This appeal, however, had no result. In the vote, out of the



thirty-six delegations present, twenty-six, including Canada, voted for the United States motion, and nine, including the British and Australian, abstained. India voted against. As a matter of fact, there was little probability of the adoption of the motion leading to any definite result. It was extremely doubtful whether, on the more limited question proposed by the Opium Advisory Committee, viz., the limitation of the production for export, any of the producing countries, except India, would be able or ready to undertake any obligation at the present time. The chance of their accepting the wider proposal submitted by the United States of America was remote. The Bolivian delegate had already at the 9th meeting declared that so far as the production of the coca leaf was concerned, his Government would be "unable to accept any measure tending to prevent the use of the coca leaf in conformity with the established custom of Bolivia." It will be seen later on in this report that nothing in the end did happen.

Throughout the discussions on the United States proposals there was in fact a conflict of two policies—one which proposed a definite object capable of being realised under existing conditions—the other which pressed for the adoption of general principles without much consideration of the means by which they could be translated into action. The effect on the conference was unfortunate, and it is at least possible that a stronger convention on the control of the drugs would have issued from the conference if the whole weight of the United States influence had been applied to this—the real—business of the conference.

The idea that any question in dispute could be decided by a majority vote of the conference and by leaving the dissentient States to dissociate themselves from the decision by a reservation, was one the implications of which do not seem to have been realised. Lord Cecil in the debate which took place later in the conference on this question (27th meeting) pointed out that—

"It is not possible to sign and ratify a convention and make reserves unless all the other parties to the convention agree to accept those reserves, and if any single country refused to accept a reserve it would make it impossible for the State to sign the convention in that form. This seems to me to be a great practical difficulty in the way of the proposal as it stands."

24. The preliminary business of the conference occupied a long time and it was not until the eighth meeting of the conference that it settled its procedure for dealing with the subjects included in its agenda. On the proposition of its Business Committee it appointed two General Committees for dealing respectively with the two questions before it (i) of the limitation of production and manufacture and (ii) of the revision of The Hague Convention which would be necessitated by the adoption of any scheme of limitation; and six sub-committees (who were to report to the General Committees) to deal with particular problems, viz.: (A) proposals for the limitation of the manufacture of the drugs; (B) proposals for the limitation of the production of raw opium for export; (C) proposals for the



limitation of the production of the coca leaf for export; (D) proposals for limitation from the point of view of the consuming countries; (E) proposals for the control of the international traffic; (F) estimates of the world's medical requirements of the drugs. The scope of (B) and (C) was subsequently enlarged by the United States proposal just referred to; and the scope of (F) by a number of other questions which were referred to it for an expert opinion, including such questions as the suppression of heroin, extension of The Hague Convention to hashish, inclusion of new drugs of addiction, &c. Sub-committees (A), (B) and (C) were constituted of the representatives of the manufacturing or producing countries concerned with an equal number of representatives of consuming countries. Sub-committee (F) was constituted of the medical, pharmaceutical and statistical experts attending the conference. (D) and (E) were constituted each of fifteen members selected by the General Committees.

The plan was a combination of proposals, a British proposal for the creation of six committees for the different parts of the subject matter of the conference, and a Swiss proposal for two large committees. As every delegation was represented on each of the two General Committees, the meetings of those committees were in fact the same thing as plenary meetings of the conference, and after a short time they were recognised to be useless and were abolished.

The conclusions of the six sub-committees were reported to the full conference, but in order to harmonise any divergences which might exist between the different reports, a Committee of Co-ordination was appointed to consider the reports before they were discussed in plenary session.

These arrangements worked on the whole smoothly and well. A thorough examination of the different questions was made by the sub-committees and no difficulty was experienced in arriving at an agreement in the Co-ordination Committee on certain points of difference between the conclusions of different sub-committees. The result was that the later stages of the conference were disposed of rapidly, and except on two or three points of dispute, without any serious difficulty.

The work of the conference can be conveniently discussed under the headings of the several sub-committees.

#### *Limitation of the Manufacture of Morphine, Heroin and Cocaine.*

25. This was the primary object for which the conference had been called, and (as had been foreshadowed by the proceedings in the Preparatory Committee and the Opium Advisory Committee, which were described in the first part of this report) very great difficulties were experienced in reaching an agreed scheme for bringing about such a limitation. Sub-Committee (A), which was appointed to consider the question was very ably presided over up to the adjournment in December by Mr. Beland, the Canadian Minister of Health, and after the resumption in January, by



Dr. Sjöstrand, the Swedish delegate. The sub-committee took as the basis of its discussions the scheme prepared by the Advisory Committee, the outlines of which are given in paragraph 9 of this report. It was quickly apparent that a wide divergence of views existed between the delegations chiefly concerned. The scheme was opposed by the French, Swiss and Netherlands delegations. The Japanese delegation declared that the Japanese Government would be opposed to any super-State organisation (9th meeting). On the other side, Great Britain and the United States were the strongest supporters of the scheme. In stating at an early meeting the attitude of His Majesty's Government in regard to the subjects to be considered by the conference, I said "Great Britain stands by the view that, so long as the drugs are produced in quantities greatly in excess of the world's legitimate requirements, illicit traffic in, and abuse of, the drugs will continue. While, therefore, the strongest possible measures for both the national and international control of the trade are and will continue to be necessary, it is essential that measures should be taken by the producing countries in concert for the direct limitation of the production of the drugs" (5th meeting).

The following extract from the report which, as *rapporteur* for the sub-committee, I submitted to the full conference, summarises briefly the points of view of the two sides :—

"Strong objection was taken to these proposals by several delegations on various grounds, the principal of which were that Governments were not in a position at present to frame estimates, which could be regarded as binding, of their annual requirements; that in any case, owing to the fluctuations in the annual opium crop and the speculative character of the trade, it would always be impossible to frame in advance estimates of their requirements for manufacturing or commercial purposes; and that a limitation of the imports of a country to a definite figure would lead to attempts on the part of dealers to corner the markets and would entail a complete system of rationing. The delegations who held these views considered that a more practical method of control would be to obtain the statistics of the trade in the drugs at the end of each year, and to give the Central Board the duty of examining the statistics and calling attention to cases in which the figures appeared to indicate that excessive quantities were being imported and there was a danger of a country being the centre of an illicit traffic.

"The delegations who supported the scheme of the Advisory Committee pointed out in reply, first, that if reliance was to be placed on statistics which were only to be received after the close of the year in regard to the transactions in that year, no effective action could be taken by the board to prevent illicit traffic, as the statistics would not be received at the best until many months after the event; secondly, that it would not be expected of the Governments, at any rate in the early years of the working of the scheme, that they should furnish exact



estimates of their requirements; that, in the first instance, they would be able to allow a sufficient margin in their estimates to provide against a possible shortage, and would always be able, in the event of a shortage actually occurring, to forward a revised estimate, and that as experience grew the estimates would become more and more exact; thirdly, that there was no reason why a Government in a year of abundant crop and low prices should not allow its traders and manufacturers to take advantage of it by laying in supplies for a longer period than the current year, a revised estimate being submitted for the purpose; lastly, that any attempts on the part of dealers to corner the market and to raise prices would be improbable, as the trade in these particular drugs, in most cases, forms only a small part of their total business, and would prejudice their other business, and, in any case, such attempts could easily be countered by the Government, whose permission the dealers would require for carrying on the trade in these drugs."

The opponents of the Advisory Committee's scheme were not to be moved, and as the support of all the important manufacturing countries was essential, it became necessary to seek some other basis of agreement. It was eventually found on the following lines:—

The establishment of a Central Board was retained, but with functions of a different character. Its main duty will be to keep a watch on the international traffic, to note where the drugs are going, and to investigate the case of any country where quantities greatly in excess of its probable requirements are accumulating. To enable it to carry out its duties it will be furnished, at short intervals, by each country, with statistics of its imports from and exports to each country of each of the drugs. These will be the main foundation of its work, as by these it will be enabled to follow currently the course of the international traffic. It will also be furnished, after the close of the year, with statistics of manufacture, consumption and stocks. By these, in conjunction with the statistics of imports and exports, it will be enabled to trace what has become of the amounts of the raw material produced and of the drugs manufactured. If, for instance, the amounts imported and manufactured by a country in the course of any year are found to be greatly in excess of its exports, consumption and stocks, it would suggest that a leakage was occurring in that country into channels of illicit traffic, and that the drugs were being manufactured in excessive quantities.

Again, the board will be furnished at the beginning of the year with the estimates of the probable requirements of each country for internal consumption, but these estimates will not be binding on the country as under the Advisory Committee's scheme, but will be merely for the purpose of serving as a guide to the Central Board in carrying out its task. The board will also have the power of asking for explanations from any country where the imports appear to be excessive, and, if no satisfactory explanation is forthcoming,



of calling the attention of all other Governments to the position and recommending that the exports to the country in question should cease until the board is able to report that the situation in that country is satisfactory.

The details of the scheme are discussed at length in my report to the conference from sub-committee (A), and it is not necessary therefore in this report to travel over the ground again.

It will be seen that the scheme is a much more modest one than the original British scheme proposed to the Preparatory Committee, or even than the compromise scheme prepared by the Opium Advisory Committee, and falls very far short of attaining the object proposed to the conference of limiting the manufacture of morphine, heroin and cocaine to the amounts required for medical and scientific purposes. The result achieved by the conference is a very important one, nevertheless. Though the manufacturing States are left free to manufacture the drugs without any limitation to a definite amount, a real, if not a very long, step forward has been taken on the road to an effective control over the manufacture of, and traffic in, the drugs. It must be emphasised, however, that the success of the scheme will depend on the board's receiving the active co-operation and support of the Governments in supplying the statistics and other information required for its work and giving effect to its recommendations, and this in its turn will depend on the board's commanding general confidence. The powers of the Central Board are powers of enquiry and recommendation only, and the sanction behind the action of the board will be a moral sanction only. If it wins that confidence it cannot be doubted that the responsible Governments who accept the convention will feel themselves bound in general to act on the recommendations of the board.

Agreement on the main features of the scheme was not secured without difficulty. Reference must be made to three points in particular, as they may give rise to trouble in the future. The *constitution of the board* gave rise to much debate. The sub-committee which framed the scheme considered it essential that the board should be absolutely impartial and independent if it was to command the general confidence, and that it would be fatal to the success of the scheme if it were to be representative of "interests." They accordingly rejected a proposal that consuming, producing and manufacturing countries should be separately represented on the board. This claim was urged again by the representatives of consuming and producing countries when the sub-committee's report came before the full conference, and pressed so strongly that it seemed possible that the scheme might be wrecked. It was finally agreed that "in making the appointments, consideration shall be given to the importance of including on the Central Board, in equitable proportion, persons possessing a knowledge of the drug situation both in the producing and manufacturing countries on the one hand, and in the consuming countries on the other hand, and connected with such countries." This provision will add to the difficulty of the task that the Council of the League, which in conjunction with the United States of America and



Germany is the appointing authority, will have in constituting the board.

Another point on which there was much difference of opinion was the relation of the Central Board to the League. Under the Treaty of Versailles, the League is entrusted with the duty of supervising the traffic in drugs, and it was strongly urged by the French delegation that the decisions of the board should be subject to the approval of the Council. This proposal was resisted by the British and United States delegations on the ground that the board must be absolutely independent in the exercise of its functions if it is to command the confidence of all parties. Any possibility that its decisions might be affected by political or other outside considerations would be fatal. The most that it seemed possible to concede was that a right of appeal to the Council against a decision of the board should be allowed. This was accepted by the United States representative on the sub-committee. The relation of the staff of the board to the general secretariat organisation of the League had also to be settled. A strong feeling existed in the sub-committee that the staff of the board must be separate from the secretariat staff, if only because the staff must act under the direction of the board and must not be subject to outside control as well in the carrying on of the work of the board. On the other hand, the board will in effect be an organ of the League, its headquarters and staff will be situated at the seat of the League, and for administrative purposes it is desirable that the staff should be part of the general organisation. On the proposal of Lord Cecil, and in consultation with the secretary-general, it was agreed that the board should have "full technical independence" in carrying out its duties and should nominate its own staff, subject to the approval of the Council, while the staff should be subject in "administrative matters" to the control of the secretary-general, and that the necessary arrangements for this should be left to be settled between the Council and the board. This was the best settlement that could be made of a somewhat difficult point.

Lastly, the requirement that statistics of imports and exports should be furnished at short intervals was strongly resisted by the French delegation. The original British proposal was that these statistics should be furnished monthly. Under the system of a separate licence for each consignment, imported or exported, which is provided for in another part of the convention, the central Government authority charged with the duty of granting such licences should, it was thought, be able to furnish such statistics without difficulty. All that is required is that when the import or export is effected the customs officials should endorse the licence which has been presented to them as the authority for the import or export and return it to the central authority, who will thus receive information currently of the imports or exports effected. It was urged strongly by the French delegate that returns at such short intervals would entail an enormous amount of clerical work, and that in some countries, such as Indo-China, where distances are great and communications slow, the information would be long in reaching the



central authority. They pressed a proposal that the statistics should be furnished annually, which would have deprived the board of any possibility of watching currently the course of the traffic and intervening in time in cases where there was ground to suspect that excessive quantities were being imported. Quarterly statistics were finally accepted by all parties in the sub-committee as a compromise between the conflicting views. When the sub-committee's proposals came before the full conference, the French delegate again raised the question, but a majority of the conference supported the proposal of the sub-committee.

As pointed out above, the success of the scheme will turn on whether these and the other statistics for which it provides are furnished punctually by the Governments. It may be thought by those who have had experience of such matters that the conference in counting on this has based its scheme on a very insecure foundation. Active goodwill on the part of the Governments will be needed, and, if one may judge by the many professions that were heard at the conference, that goodwill should be assured.

#### *Limitation of the Production of Raw Opium for Export.*

26. This question had not formed part of the original plan of the Opium Advisory Committee. It had concentrated its attention on the limitation of the manufacture of the drugs. The manufacture of the drugs is carried on in a few industrial countries and in a small number of factories, and is comparatively easy of control. The factories are the "bottle-neck" through which the products of the raw opium and the coca leaf reach the consumer. It seemed to the Advisory Committee therefore that at once the easiest and most effective method of controlling the output of the drugs, which was the ultimate object, would be in the factories. The United States representatives who attended the Advisory Committee's meeting in 1923 maintained that ultimately the only certain method of reducing the supply of the drugs was to reduce the supply of the raw material. Obviously this would be a difficult problem. Opium is produced mainly in Asiatic countries and over wide areas, and, except in India, the machinery for controlling production and distribution is at present imperfect. To meet the view of the United States representatives, and because the question was one which it was important to explore, the Advisory Committee decided to include in the resolution for the summoning of the conference which it submitted to the Council and Assembly of the League the question of the limitation of the production of raw opium *for export*, though probably none of its members anticipated that any immediate results could be achieved.

Difficult as this problem by itself would have been, the problem which the conference undertook to consider when it accepted the proposal of the United States delegation to refer to it the question of limiting *any* production of raw opium strictly to the amounts required for medical and scientific purposes, was far more difficult.

After many sittings, sub-committee (B), to which these questions had been referred, had to report that it could come to no agreement.



Persia, Turkey, Yugoslavia and Greece drew attention to the "political and economic difficulties" with which their Governments would be confronted (see also their statements in the 27th plenary meeting). In particular, the Persian delegation submitted a memorandum, elaborating a comprehensive scheme of agricultural and economic development, which would have to be achieved with foreign assistance, including a loan of considerable amount, before any effective scheme for the reduction of production could be introduced in the country.

The only proposal that met with any general support in the sub-committee was that a commission of enquiry should be appointed to visit the countries in question for the purpose of studying the problems "connected with the production of, traffic in, and use of, opium in those countries."

The United States delegation pressed for the adoption of their proposal that the States concerned should agree to control the production and distribution of raw opium "so that there will be no surplus available for purposes not strictly medical or scientific," with liberty to any countries which were not prepared to act on it immediately to "make reservations as to the time when and the conditions under which they would be prepared to give it complete and effective application in their territories." None of the producing countries, except Egypt, were prepared to accept the proposal.

An inconclusive report was therefore presented to the full conference, and it was the failure of the United States delegation to carry a proposal which they apparently regarded as vital and on which they were not prepared to accept any amendment that—along with and perhaps more than the failure to carry their other proposal as to the use of prepared opium—determined them to withdraw from the conference.

The subsequent proceedings in the full conference on the question, which lasted over several meetings, were somewhat remarkable. A strong effort was made by the British, in conjunction with other delegations, to make an advance on the somewhat indefinite provisions of article 1 of The Hague Convention, while avoiding the difficulties to which the United States proposal would have given rise. Lord Cecil pointed out that what was wanted was to combine the principle that there should be no interference with the use to which a country puts its own products within its own borders with the principle that a country producing opium should so control its production "as to ensure that no surplus which could be used for wrong purposes is distributed throughout the world" (29th day). Two proposals were considered. One proposal was in the terms which had been mentioned at the very opening of the first discussion of the subject that the producing countries should so control their production that "no surplus will be available for export except for medical and scientific purposes." The other was that the United States proposal should be accepted with the addition that—

"any contracting party may declare, at the time of its signature of, or accession to, the present convention, the limitations subject



to which it accepts this article as regards the production and distribution of raw opium for consumption in its territories. If such a declaration be made, the other contracting parties agree that this article shall only apply in the case of the contracting party making the declaration subject to the limitations contained in that declaration."

A committee, which included the producing countries, was appointed to consider these alternatives and decided to recommend the second, with the omission of the words "for consumption in its territories." M. Daladier, who acted as *rapporteur*, recommended it to the conference as a solution "which is obviously not an ideal one, but is nevertheless a solution," and it was accepted by the conference, but with a large number of abstentions. Two days later this decision was reversed when the articles of the draft convention were being considered. Many delegations were dissatisfied with the article as it stood—some because it seemed to weaken the existing provision of The Hague Convention, as it would have allowed a State to make a reservation which would have freed it from the obligation to exercise any control at all, others (particularly the French) because it seemed illogical to enact an obligation in the first paragraph of the article and in the next paragraph to empower any State to declare itself exempt from the obligation. Amendments rained in, but a large number of delegations, including many of those which had supported the United States of America, declared themselves in favour of a French proposal to substitute a provision that the States should "strengthen" their laws and regulations for controlling the production and distribution of opium. This proposal was equivalent to leaving things as they were. The Hague Convention already requires the States to enact *effective* laws on the subject. I urged the conference not to lose the ground that had been gained. Some of the producing countries were prepared to accept an obligation additional to that in The Hague Convention and to restrict in a greater or less degree the production of opium to medical and scientific purposes, and I moved that the question should be referred to the Drafting Committee to find a suitable form of words. The French proposal was, however, carried by 17 votes against 9 for the British.

The French proposal was subsequently, as a result of negotiations between M. Kircher and myself, put into a more acceptable form, but it was not possible at the stage which the conference had then reached to get the question of principle reopened.

The conference thus unfortunately failed to accomplish anything in regard to that part of the agenda which referred to the limitation of the production of opium for export.

Reference may be made to a suggestion of the Australian Government that the production of the raw materials should be prohibited in countries which do not at present produce them. Sub-committee (D), which considered the question of limitation from the point of view of the consuming countries, was prepared to accept this proposal in principle on two conditions :—



- (i.) That the present producing countries would undertake to reduce their production.
- (ii.) That the interests of the consuming countries should be fully protected as regards obtaining adequate supplies.

As the first of these conditions was not fulfilled, the proposal was not pursued further.

*Limitation of the Production of the Coca Leaf for Export.*

27. The sub-committee (C) to which this question was referred were also asked to consider the United States proposal to control the production and distribution of the coca leaf "so that there will be no surplus available for purposes not strictly medical or scientific." Two out of the three important producing countries—Bolivia and Dutch East Indies—were represented on the sub-committee; the other country, Peru, did not send a delegation to the conference. The sub-committee reported that limitation of production was impracticable (9th day). The Bolivian delegate, in an interesting speech to the conference, estimated the total production in Bolivia at 5,000 tons, the bulk of which is consumed in the country. This domestic consumption stands on very much the same footing as the domestic consumption of opium in Asiatic countries. The habit of chewing the coca leaf has existed among the Indians (to whom it is confined) on the high plateaux of the Andes for centuries; and experience, he claimed, had shown the practice to be innocuous. As regards Bolivian exports, which had amounted during the four years 1920-23 to 1,396,399 kilos., 84·59 per cent., went to the Argentine, which neither manufactures cocaine nor re-exports the leaf. The Bolivian Government would be unable therefore "to accept any measure tending to prevent the use of the coca leaf in conformity with the established custom of Bolivia or to hamper either its production or its exportation for use in this way." In Java, where the coca leaf is grown by the natives as hedges, any limitation of the production to medical and scientific requirements was declared by the Netherlands delegate to be equally impossible. The same considerations would apply to other parts of the world (*e.g.*, West Africa) where the plant grows wild. The production of the leaf for export could, so far as Java was concerned (it is grown there as a secondary product on the plantations), be limited, but in view of the difficulty in Bolivia of distinguishing between production for domestic consumption and production for export purposes, the sub-committee agreed that the only measures that could be taken were to apply to the export of coca leaves the system of export licences and import certificates, and the provision in article 2 (limitation of ports through which import and export may be allowed) of The Hague Convention. This recommendation was accepted by the conference and embodied in the convention.

*Control of the Trade.*

28. The chief matters for the consideration of the conference under this head were the proposals of the Opium Advisory Committee for creating an adequate machinery to control the international trade.



These proposals, which included the system of import certificates already recommended by the League to the States members and adopted by numerous States, were unanimously approved by sub-committee (E). That the sub-committee were able to come to a unanimous decision was due to the welcome action of the French Government in withdrawing the objection which it had hitherto maintained to the import certificate system. The details of the proposals, which dealt also with such matters as passage of the drugs through free ports, diversion of consignments *en route*, control over consignments in bonded warehouses, were discussed in the report which, as *rapporteur* for the sub-committee, I presented on its behalf to the conference, and it is not necessary to refer to them here. The proposals were accepted without criticism by the conference, and are embodied in Chapter V of the convention. Their adoption by the Powers generally will effect a very great improvement on the present very unsatisfactory arrangements which allow the persons engaged in the illicit traffic numerous opportunities of evasion. In one important respect, however, the new system is incomplete. It makes no provision for the case of the country which remains outside the convention and fails to adopt the import certificate system. In the case of an export to such a country, the Government of the exporting country cannot require the production of an import certificate before allowing the export. The sub-committee expressed the opinion, which is embodied in the report, that "a moral obligation will rest on the Government of the exporting country not to allow the export of the substances in excessive quantities to countries which decline to furnish import certificates and to co-operate in the system of international control, and which in some cases are known to be centres of illicit traffic." I made an attempt to get this opinion appended to the convention in the form of a recommendation, but some delegations considered it undesirable on the ground that it was difficult to see what Governments could do in such cases. Great Britain has been dealing with cases of this kind either by refusing or rationing exports to such countries, or requiring evidence of the *bona fides* of the consignment or of the importing firm in the form of a consular certificate or otherwise.

The omission in the convention is rendered less serious by the creation of a Central Board for watching the international traffic, which is given powers of taking action in the case of countries which remain outside the convention and are suspected of becoming centres of illicit traffic.

It may be noted here that the sub-committee recommended, and the conference approved, the suppression of article 4 of The Hague Convention, which has been found by experience to facilitate rather than to hamper the contraband traffic.

#### *Miscellaneous Questions.*

##### *Suppression of Heroin.*

29. This proposal was submitted by the delegation of the United States of America where the manufacture, &c., of heroin has recently



been prohibited by law in view of the extent of its use and effects as a drug of addiction. The question had been brought before the Opium Advisory Committee in 1923, and on their suggestion the Governments had been asked to give their views as to the possibility of totally suppressing the manufacture of the drug. The information received up to the time of the conference was far from complete, but it was already established that a great body of medical opinion—in Europe, at any rate—was opposed to the suppression of the drug. The British Ministry of Health, after enquiry, advised that representative medical opinion in this country appears to be definitely opposed to the prohibition of the use of this drug; and the Health Committee of the League of Nations, at its meeting in September last, had decided that prohibition could not be recommended.\* Sub-committee (F) decided unanimously, with the exception of the representative of the United States of America, that heroin could not be suppressed. Nevertheless, “impressed by the terrible ravages of the heroin habit, especially in the United States of America,” the sub-committee recommended that the exemption of preparations containing less than .1 per cent. of heroin should be abolished, and that no heroin preparation should be sold to the public except on a medical prescription. Both these conclusions were accepted by the conference, but there was some opposition to the latter, particularly from the French, whose considerable sale of heroin preparations was likely to suffer. The case for the proposal was not strong. There did not appear to be much evidence that the unrestricted sale of these preparations gave rise to addiction, though it was claimed there was some; and they certainly would not be used for the purposes of the contrabrand trade. So far as this country is concerned, the sale of these preparations is very small, and the consequences to chemists and doctors of bringing them within the Dangerous Drugs Act will not be very serious.

#### *Abolition of exempted Preparations of the Drugs.*

30. A United States proposal to abolish the minimum limits in article 14 (b) of The Hague Convention for morphine and cocaine as well as for heroin, and to bring within the convention all preparations containing however small a quantity of morphine and cocaine was rejected by the sub-committee on the ground that as there were no new facts to justify the alteration, it was undesirable to change the practice which had become established under The Hague Convention.

\* The report on the subject adopted by the Health Committee runs as follows :—

“There is no doubt that heroïno-mania exists, and that its victims are becoming more and more numerous. . . . After having considered the question your committee has arrived at the conclusion that the question cannot be finally settled at present. It is, indeed, a problem of a medical nature, which should be previously discussed in medical circles.”



*Inclusion of Codeine and other Derivatives.*

31. Codeine is included with morphine, &c., in the dangerous drugs legislation of the United States of America and some other countries, but it is not generally regarded as a drug of addiction, at any rate in Europe. The United States proposal to bring this derivative of opium under the convention was rejected by the sub-committee on the ground that "its properties prohibited it from being either medically or scientifically reckoned among narcotics." Another United States proposal to include all derivatives of opium was also rejected as involving a "serious technical error." Products would be included within the convention "which have a totally different medicinal effect or are in any case not dangerous in the sense of those drugs we are considering."

*Inclusion of new Dangerous Drugs of Addiction.*

32. A provision on this point was included in article 14 of The Hague Convention, but it was limited to new derivatives of morphine or cocaine, and to other alkaloids of opium, which might be "shown by scientific research, generally recognised, to be liable to similar abuse and productive of like ill-effects," and no machinery was provided for determining when any new drug was generally recognised as a dangerous drug of addiction. Sub-Committee (F) decided to extend the scope of the provision to drugs of whatever kind which have these effects, and on the proposal of the British delegation agreed on a procedure for establishing whether a drug is generally recognised as having the same effects as morphine, heroin or cocaine, or not. The initiative rests with the Health Committee of the League, who will consult the Permanent Committee of the Office international d'Hygiène publique in Paris, and if the case is considered to be established may submit a recommendation to the Council of the League. This recommendation will be communicated to the parties to the convention, but it will not be obligatory on any individual State to accept it.

*Exemptions of certain Preparations from the Convention.*

33. (a) It was decided to provide for the exemption from the convention of any preparation containing any of the drugs which, on account of its ingredients, is of such a character that it cannot give rise to the drug habit. This is in line with, though it goes further than, the exemption from the provisions of the British regulations of certain preparations of this character. (b) It was also decided, on the proposal of the French and Belgian delegations, to allow chemists to dispense, for immediate use in urgent cases, tincture of opium, Sydenham laudanum and Dover powder in doses not containing more than 25 centigrammes of officinal opium. The British delegation and other delegations strongly opposed this proposal on the ground that no necessity had been shown for any alteration of the provisions of The Hague Convention on this point



which had been in force for some years;\* that it was impossible for the chemist to diagnose the condition of a stranger coming into his shop and determine whether the case was one of urgency or not; and that the proposed exemption would allow an addict to go from one chemist's shop to another and obtain a considerable quantity of the drugs. The proposal was nevertheless carried and embodied in article 9 of the convention. It is a permissive article only, and there will be no obligation on any country to give effect to it.

### *Definitions.*

34. The existing definitions in The Hague Convention were revised, and ecgonine (which is already within the scope of the British Dangerous Drugs Act) has been brought within the convention, not as being a drug of addiction, but as being a "secondary raw material in the manufacture of cocaine."

### *Indian Hemp.*

35. The question of extending The Hague Convention to Indian hemp products was not part of the agenda of the conference, but, as stated above, the Egyptian delegate at an early meeting submitted a motion on the subject which was supported by the Turkish and Greek delegations, and I was authorised to agree to proposals for bringing Indian hemp within the convention (7th and 16th meetings). The subject was one to which the British Government has found it necessary to give attention in connection with attempts to smuggle the drug from India, and the Opium Advisory Committee had already, on representations from the South African Government, commenced an investigation into the manufacture, traffic and use of the drug. The dangerous element in this plant is the resin of the flowering or fruiting tops of the unfertilised female plant, and this resin, when extracted, is perhaps the most dangerous of all the narcotic drugs. The British dominions are in general not much affected, but there is a considerable consumption in India of various preparations from the plant, and some use among the Indian labourers in Trinidad. The plant is also used by the African natives, especially in the French colonies. Large quantities are smuggled into Egypt.

It was unanimously agreed by the conference that the question should be considered, and a special committee was appointed to deal with it. As a result of the discussions, in which the Egyptian, Indian and French delegations took the chief part, it was agreed that it was not possible to limit the production of Indian hemp which, quite apart from its narcotic use, has legitimate industrial and domestic uses, or to bring it under the full requirements of the convention at the present time; but that the resinous tops of

\* The Ministry of Health, who were consulted, said they could not "conceive any emergency in which the administration by a chemist of laudanum containing morphine in excess of that limit of 0.2 per cent. ought to precede consultation with a doctor."



the female plant, the resin and extract and tincture of Indian hemp should be brought under regulation, and that, in particular, the international trade should be effectively controlled and the same provisions applied as to the other drugs under the convention. Special control is to be exercised in the case of the resin.

*The Estimate of the World's Medical Requirements of the Drugs.*

36. It was stated above that at the instance of the Opium Advisory Committee an investigation of the amounts of the drugs required for medical purposes had been undertaken through the Health Organisation of the League. Basing itself on estimates of their medical consumption furnished by a number of countries and on statistics of actual consumption collected from a number of hospitals and sickness insurance associations in several European countries, the Health Committee reached the conclusion that for countries which have a highly developed system of medical aid, an average of 450 milligrammes of raw opium (on the basis of a 10 per cent. content of morphine) would represent the maximum amount required annually for scientific purposes of opium and opium derivatives. The average for cocaine would be 7 milligrammes. Though any scheme for a definite limitation of the amounts of the drugs manufactured on the lines of the British or American proposals seemed unobtainable, the Health Committee's estimate might still be of great value in the administration of the other schemes of control that were to be considered, as a guide to the probable requirements of different countries. The report of the Health Committee was accordingly referred by the conference to the sub-committee consisting of the medical and other experts attached to the delegations for consideration. The sub-committee reported that they considered the Health Committee's estimates might be accepted, but pointed out that the figure must be regarded solely as a basis for the world production of opium and the manufacture of its derivatives, and not as determining the consumption of individual countries. They also pointed out that the figure for opium was subject to a qualification, as accurate information in regard to the use of codeine was not available.

The British memorandum on consumption of the drugs in Great Britain was also referred to the sub-committee. As it is not referred to in their report, it may be mentioned that the estimate reached for Great Britain was very much lower both for morphine and cocaine than the Health Committee's estimate.

As the subject had no longer any direct bearing on the work of the conference, it was not further discussed. The conference, at its plenary meeting, adopted the report and left it at that. The work which has been done in determining the amounts of the legitimate consumption of the drugs and the information which has been collected are none the less of great value, and as the statistics provided for under Chapter VI of the new convention accumulate, it will be possible to make an increasingly close approximation to the actual amount of the world's requirements of the drugs for medical and scientific purposes.



37. The convention which was drawn up and adopted by the conference replaces a large part of The Hague Convention, viz., Parts I, III and V, as between the Powers who adhere to it. It is unquestionable that it marks a very great advance on The Hague Convention. An adequate machinery for controlling imports and exports replaces the indefinite provisions of the old convention; the provisions of the old convention relating to the control of the internal manufacture of, trade in, and distribution of, the drugs are much strengthened, particularly by making the requirement of a licence or authorisation to manufacture, trade or distribute compulsory in all cases; and entirely new provision is made, by the creation of the Central Board, for watching the international traffic and dealing with cases of excessive imports. Indian hemp or hashish has been brought under a measure of control, and machinery has been provided by which new drugs can be included within the convention. The penalty provision is strengthened and provision made for dealing with traffickers who carry on their operations outside the jurisdiction of the country in which they reside. Simpler and more efficient provisions have been devised for the settlement of disputes arising between the signatory Powers as to the interpretation or application of the convention.

A result of the conference which does not appear on the face of the convention but which is hardly less important is the greatly increased public interest in and better understanding of the questions. No doubt the controversies which arose in the course of the two conferences, however unfortunate in other ways, helped to produce this result.

The convention remains open for signature until the 30th September next. The States which have already signed it at the time of writing are :—

Convention.	Protocol.	Final Act.
Albania	Albania	Albania
Germany (with reservation)	Germany	Germany
Belgium		Belgium
Australia	Australia	Australia
British Empire	British Empire	British Empire
		Bolivia
France		France
		Spain
Greece	Greece	Greece
		Hungary
Japan	Japan	Japan
Luxemburg	Luxemburg	Luxemburg
Netherlands	Netherlands	Netherlands
Persia	Persia	Persia
Poland		Poland
Portugal	Portugal	Portugal
Siam	Siam	Siam

The ratification of the convention by Great Britain will entail only minor amendments in our Dangerous Drugs Acts and Regulations.



38. The experience of the British delegation at these conferences showed the need of special arrangements for keeping in touch with the press.

No official communiqués were issued by the conferences. Communiqués were issued daily by the information section of the secretariat, but these were often inadequate.

After the adjournment of the second conference, a Foreign Office representative was attached to the delegation for supplying information to the press, and this arrangement was successful in securing a fairer presentation of the British side of the case.

MALCOLM DELEIVINGNE.

*Home Office, May 1925.*

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#### APPENDIX I.

##### *Resolutions of Opium Advisory Committee.*

###### I.

1. The Advisory Committee on Traffic in Opium accepts and recommends to the League of Nations the proposals of the United States representatives as embodying the general principles by which the Governments should be guided in dealing with the question of the abuse of dangerous drugs, and on which, in fact, the International Convention of 1912 is based, subject to the fact that the following reservation has been made by the representatives of the Governments of France, Germany, Great Britain, Japan, Netherlands, Portugal and Siam :—

The use of prepared opium and the production, export and import of raw opium for that purpose are legitimate, so long as that use is subject to and in accordance with the provisions of Chapter II of the convention.

2. The Advisory Committee, appreciating the great value of the co-operation of the Government of the United States of America in the efforts which the League has for the past two years being making to deal with the question of the abuse of dangerous drugs, expresses the belief that all the Governments concerned will be desirous of co-operating with that Government in giving the fullest possible effect to the convention.

3. In bringing the American proposals to the notice of the Council and the Assembly, the Advisory Committee would recall that, during the two years that have elapsed since the convention came into operation, it has worked towards the same ends by (1) taking all possible steps to secure the adhesion of all countries to the convention; (2) investigating the question of the world's needs of the manufactured drugs for medical and scientific uses, with a view to the eventual limitation of the production of these drugs; (3) recommending the system of import certificates, arranging the exchange between States of information in regard to the illicit



traffic in the drugs, and proposing other measures for securing international co-operation in suppressing that traffic; (4) inviting the Powers with territories in the Far East to review their requirements of opium, and submitting proposals for an investigation by the Chinese Government of the conditions in China, with a view to the more effective application of Chapter II of the convention and the solution of the problem of the use of prepared opium in the Far East; (5) collecting and publishing information as to the measures taken to give effect to the convention and the position generally in all countries in regard to the traffic, with a view to securing the enforcement of the convention.

4. As a means of giving effect to the principles submitted by the representatives of the United States and the policy which the League, on the recommendation of the committee, has adopted, and having regard to the information now available, the Advisory Committee recommends to the Council the advisability of inviting—

(a.) The Governments of the States in which morphine, heroin or cocaine and their respective salts are manufactured, and the Governments of the States in which raw opium or the coca leaf are produced for export for the purpose of such manufacture;

(b.) The Governments having territories in which the use of prepared opium is temporarily continued under the provisions of Chapter II of the convention, and the Government of the Republic of China,

to enter into immediate negotiations (by nominating representatives to form a committee, or committees or otherwise) to consider whether, with a view to giving the fullest possible effect to the convention of 1912, agreements could not now be reached between them—

(a.) As to a limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; as to a limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and as to a limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes. The latter limitation is not to be deemed to apply to the production and export of raw opium for the purpose of smoking in those territories where that practice is temporarily continued under the provisions of Chapter II of the convention.

(b.) As to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about a suppression of the illegal production and use of opium in China.



*Reservation by the Representative of the Government of India.*

The representative of the Government of India associates himself with the foregoing resolution, subject to the following reservation regarding paragraph 1 :—

“ The use of raw opium, according to the established practice in India, and its production for such use are not illegitimate under the convention.”

II.

The Advisory Committee, having regard to the large amount of detailed information now available, recommends the Council to invite the Powers with Far Eastern territories where the use of opium for smoking is temporarily continued, in pursuance of Chapter II of the Opium Convention, to enter into immediate negotiations, by means of calling a special conference of representatives of these Governments, or otherwise, to consider what measures could be taken to give a more effective application to Chapter II of the convention and bring about a reduction of the amount of opium used, and whether, on the lines of the suggestions set out below or on other lines, an agreement or understanding could not now be reached for the adoption of a uniform policy on the matter :—

1. That the farm system, where it is still in operation, should be abolished, and that the opium business should be made a Government monopoly and kept entirely in the hands of the Government.
2. As a corollary of paragraph 1, that the retail sale of prepared opium should be made only from Government shops, and that all private shops should be abolished. Persons in charge of Government shops should be paid a fixed salary, without any commission on the amount of business done, and therefore would have no temptation to push the sales.
3. That a uniform maximum limit should be fixed for the amount of prepared opium placed on sale for consumption, calculated according to the number of the adult Chinese male population, *e.g.*, X taels per 10,000 adult Chinese males in the territory, and that the annual imports of raw opium should be limited to the amount required for that rate of consumption.
4. That the possibilities of the system of registration and licensing, which has already been introduced in some of the Far Eastern territories, should be thoroughly explored.
5. That the possibility should be considered of making uniform, so far as circumstances permit :—
  - (a.) The price at which prepared opium is retailed in the different territories; and
  - (b.) The penalties for infraction of the law in regard to the import, export, sale and use of prepared opium.



6. That the interested Powers, that is, the Powers having territories in the Far East where the consumption of prepared opium is still permitted, should conclude an agreement among themselves to apply the foregoing measures, for the purpose of carrying out Chapter II of the convention.
7. That the position should be generally reviewed periodically by the Powers interested, and the question of further reducing the maximum limit fixed in the agreement should be considered.

## APPENDIX II.

### *Resolutions adopted by the Fourth Assembly of the League of Nations, September 1923.*

1. The Assembly expresses its deep appreciation of the very valuable work done by the Advisory Committee on Traffic in Opium and other Dangerous Drugs, adopts its report and resolutions, taking note of the reservations contained therein, and asks the Council to take the necessary steps to put these resolutions into effect. . . . .

5. The assembly approves the proposal of the Advisory Committee that the Governments concerned should be invited immediately to enter into negotiations with a view to the conclusion of an agreement as to the measures for giving effective application in the Far Eastern territories to Part II of the convention and as to a reduction of the amount of raw opium to be imported for the purpose of smoking in those territories where it is temporarily continued, and as to the measures which should be taken by the Government of the Republic of China to bring about the suppression of the illegal production and use of opium in China, and requests the Council to invite those Governments to send representatives with plenipotentiary powers to a Conference for the purpose and to report to the Council at the earliest possible date. . . . .

6. The Assembly having noted with satisfaction that, in accordance with the hope expressed in the fourth resolution adopted by the Assembly in 1922, the Advisory Committee has reported that the information now available makes it possible for the Governments concerned to examine, with a view to the conclusion of an agreement, the question of the limitation of the amounts of morphine, heroin or cocaine and their respective salts to be manufactured; of the limitation of the amounts of raw opium and the coca leaf to be imported for that purpose and for other medicinal and scientific purposes; and of the limitation of the production of raw opium and the coca leaf for export to the amount required for such medicinal and scientific purposes, requests the Council as a means of giving effect to the principles submitted by the representatives of the United States of America, and to the policy which the League, on the recommendation of the Advisory Committee, has adopted, to invite the Governments concerned to send representatives with plenipotentiary powers to a conference for this purpose, to be held, if possible, immediately after the conference mentioned in resolution 5.



The Assembly also suggests, for the consideration of the Council, the advisability of enlarging this conference so as to include within its scope all countries which are members of the League, or parties to the Convention of 1912, with a view to securing their adhesion to the principles that may be embodied in any agreement reached.

### APPENDIX III.

(i.)

*Mr. Sugimura to Sir M. Delevingne.*

*Délégation japonaise,  
M. le Premier Délégué, Genève, le 25 novembre 1924.*

DANS la conversation que j'ai eu l'honneur d'avoir avec vous hier après-midi au secrétariat de la Société des Nations et à laquelle ont assisté également MM. Kaku et van Wettum, vous avez bien voulu m'affirmer qu'à Hong-Kong le transbordement de l'opium sera permis, si les marchandises sont accompagnées ou d'un certificat d'importation, délivré par le Gouvernement impérial, le Gouverneur de Formose ou le Gouverneur de Kwantung, ou d'une pièce, visée par le consul général du Japon à Hong-Kong avec l'autorisation du Gouvernement impérial, du Gouverneur de Formose ou du Gouverneur de Kwantung.

Je serais heureux si vous voulez bien me confirmer ce qui précède.  
Veuillez agréer, &c.

Y. SUGIMURA.

SIR MALCOLM DELEVINGNE.

(ii.)

*Sir M. Delevingne to Mr. Sugimura.*

*British Delegation, Geneva,  
Sir, November 29, 1924.*

IN your letter of the 25th November you asked me to confirm the statement which I made to you verbally, during our conversation on the 24th, that the Government of Hong Kong had been authorised by the British Government to allow the transhipment of consignments of opium brought into Hong Kong *en route* for Japanese destinations on through bills of lading; provided a certificate of importation issued by the Imperial Japanese Government, or by the Governors of Formosa or Kwantung, or a similar certificate issued by the Japanese consul-general at Hong Kong on the instructions of the Japanese Government or the Governors of Formosa or Kwantung is produced. I have now the honour to confirm my statement that instructions have been issued in that sense.

It will be understood that the conditions laid down in the Hong Kong Ordinance of the 29th August, 1924, in regard to transhipments generally will be complied with in such cases.



It is also understood that the British Government will exercise their discretion in regard to any particular consignment in the event of there being any doubt as to the consignment being destined for legitimate uses.

I am informed by the Foreign Office that in a conversation last week between His Majesty's Ambassador at Tokio and the Japanese Minister for Foreign Affairs on the subject of the question which has arisen here, the latter expressed the opinion that the right to issue the import certificates should be confined to a Central Bureau at Tokio. As I informed you the other day, His Majesty's Government would also be disposed to prefer that the certificates should be issued by the Imperial Japanese Government, and in the event of this course being agreed upon between the two Governments, the arrangements in the first paragraph of this letter would be modified accordingly.

The draft article for insertion in the convention to be concluded by the first conference (which I communicated to you through the president) is approved by the British Government with the omission of the proviso at the end, as suggested by Mr. Kaku.

I have, &c.

MALCOLM DELEIVINGNE.

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#### APPENDIX IV.

##### *British Delegations to the International Opium Conferences.*

##### FIRST CONFERENCE.

Sir Malcolm Delevingne, K.C.B.

D. Beatty, Esq. : Government of the Straits Settlements.

Captain B. W. Brooke : Government of Sarawak.

A. G. M. Fletcher, Esq., C.M.G., C.B.E. : Government of Hong Kong.

F. W. Fraser, Esq., C.B.E. : British North Borneo Company.

J. J. Paskin, Esq., M.C. : Colonial Office.

M. D. Perrins, Esq. : Home Office.

Miss F. M. Treherne : Secretarial Shorthand Typist.



## SECOND CONFERENCE.

The Right Hon. Viscount Cecil of Chelwood, K.C.

Sir Malcolm Delevingne, K.C.B.

H. W. Malkin, Esq., C.B., C.M.G.: Assistant Legal Adviser,  
Foreign Office.

D. Beatty, Esq.: Government of the Straits Settlements.

E. S. Birt, Esq.: Board of Customs and Excise.

G. D. Kirwan, Esq., M.C.: Home Office.

J. J. Paskin, Esq., M.C.: Colonial Office.

M. D. Perrins, Esq.: Home Office.

A. W. G. Randall, Esq., O.B.E.: Foreign Office.

Miss F. M. Treherne: Secretarial Shorthand Typist.